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JOURNAL

OF

THE COUNCIL,

SECOND ANNUAL SESSION,

OF THE

FIFTH LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF WISCONSIN,

HELD AT MADISON,

February 7th, A. D. 1848.

BY AUTHORITY.

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JOURNAL

OF

THE COUNCIL.

Second annual session of the fifth Legislative Assembly, begun and held at Madison, the 7th day of February, A. D. 1848. At 12 o'clock M. the roll of the Council was called by the secretary, and a quorum being in attendance,

On motion of Mr. Lovell,

Hon. H. N. Wells was appointed president *pro tem.*

Mr. Whitesides moved that William R. Smith be appointed assistant secretary *pro tem;*

Which was agreed to.

On motion of Mr. Manahan,

Edward P. Lockhart was appointed sergeant-at-arms *pro tem.*

On motion of Mr. White,

William B. Magee was appointed messenger *pro tem.*

On motion of Mr. Palmer,

George W. Bunce was appointed fireman *pro tem.*

Mr. Lovell introduced the following resolution, which was adopted, to wit:

"*Resolved,* That the secretary be directed to inform the house that the council is now organized *pro tem,* and ready to proceed to business."

Mr. White introduced the following resolution, which was adopted, to wit:

"*Resolved,* That a committee of two be appointed to act in conjunction with a similar committee on the part of the house,

to wait upon his excellency, the governor, and inform him that the two houses are organized temporarily and ready to receive any communication he may have to make to them."

The president announced the appointment of the following committee on said resolution, to wit: Messrs. White and Collins.

Mr. Palmer introduced the following resolutions, which were adopted, to wit:

"*Resolved*, That the rules of the last regular session of the council be adopted as the rules of the present session, until others are adopted.

"*Resolved*, (the house of representatives concurring,) That the standing joint rules of the two houses of the last regular session be adopted as the joint rules of the two houses for the present session, until others are adopted."

Mr. White introduced the following resolution, which was adopted, to wit:

"*Resolved*, That the secretary be directed to furnish the postmaster of this town with the names of the members of the council, and that the postage during the session be paid out of the moneys appropriated for the expenses of the legislative assembly."

Mr. Palmer introduced the following resolution, which was adopted, to wit:

"*Resolved*, That a committee of three be appointed to revise the rules of the council, and report thereon as early as practicable."

The president announced the appointment of Messrs. Palmer, Darling and McCartney, as the committee under said resolution.

Mr. Manahan introduced the following resolution:

"*Resolved*, That each member of the council may order for his use during the present session of the legislative assembly, any number of newspapers printed in this territory not exceeding forty per week, and that the expense of the same be paid out of the moneys appropriated for the expenses of the legislative assembly."

And the question being on adopting the resolution,

On motion of Mr. Holmes,

The further consideration of the same was postponed until to-morrow.

A message from the house of representatives, by their chief clerk:

"Mr. President—I am directed to inform you that the house of representatives have organized permanently by the election of the Hon. Timothy Burns, speaker, and are now ready to proceed to business. And that Messrs. Mooers and Botkin have been appointed a committee on the part of the house to act in conjunction with the committee appointed on the part of the council, to wait upon his excellency, the governor, and inform him that the two houses are now organized and ready to receive any communication he may have to make to them."

Mr. White, from the joint committee to wait upon the governor, made the following report, to wit:

"The joint committee appointed to wait upon the governor, and inform him that the two houses were temporarily organized, having performed the duty assigned them,

REPORT:

That the governor informed the committee that he would, in person, communicate to the two houses, in the representatives' chamber, at twelve o'clock to-morrow."

On motion of Mr. Lovell,

The council adjourned until three o'clock P. M.

THREE O'CLOCK P. M.

Mr. Lovell moved that the council proceed to elect a chaplain, by ballot;

Which was agreed to.

Mr. Collins nominated the Rev. Mr. Lord.

Mr. Turner nominated the Rev. Mr. Read.

The president appointed Messrs. Lovell and Collins tellers to receive and canvass the votes.

A ballot having been taken and counted,

The tellers reported that the whole number of votes given was 12

Necessary to a choice, 7

Of which the Rev. Mr Lord received 9

Rev. Mr. Reed " 2

Blank 1

The president declared that the Rev. Mr. Lord, having received a majority of all the votes cast, was duly elected chaplain.

On motion of Mr Whitesides,

The council adjourned.

Tuesday, February 8, 1848.

On motion of Mr. Lovell,

Mr. Darling took the chair in the absence of the president pro tem.

The reading of the journal of yesterday was dispensed with.

On motion of Mr. Manahan,

The council proceeded to the election of president.

Messrs. Manahan and McCartney were appointed tellers.

A ballot having been taken and counted,

The tellers reported that the whole number of votes given were ten.

Necessary to a choice, six.

Of which Horatio N. Wells had nine, Frederick S. Lovell had one.

The chair declared that Horatio N. Wells, having received a majority of all the votes cast, was duly elected president of the council.

Messrs. Lovell and Collins were apppointed a committee to conduct the president elect to the chair.

The committee having perfonmed the duty assigned them,

The president addressed the council as follows:

GENTLEMEN—For this further demonstration of your kindness and partiality, please accept my thanks. I cannot but esteem it as a flattering compliment and an high honor to be a second time selected to preside over your deliberations.

I have no expectation of discharging the various duties imposed upon me by the vote just taken, without frequent error. Relying, however, upon the same degree of kindness and indulgence that was extended to me on a former occasion, much of the embarrassment is removed which I should otherwise feel on assuming the duties of this delicate and responsible station.

Our session bids fair to be both important and interesting, as it is, undoubtedly, the last that will be held under a territorial government. It will be our duty to adjust, and, as far as practicable, to close up all territorial matters preparatory to the change which is soon to take place.

We are representatives of a population of over two hundred thousand. Our responsibilities are great, and may I not hope that each member will feel the importance of the trust reposed in him, and that the result of our labors will be beneficial to our common country, and satisfactory to those whom we represent.

On motion of Mr. Holmes,

The council proceeded to the election of the other officers.

Ballots having been taken and counted,

The tellers reported that for the office of secretary there were eleven votes cast, and that Thomas McHugh had received the whole number of said votes.

For the office of assistant secretary, Wm. R. Smith received one vote, Richard Peters received ten votes.

For the office of sergeant-at-arms, Edward P. Lockhart received twelve votes, Wm. R. Smith received one vote.

For the office of messenger, Wm. B. Magee received twelve votes, Wm. R. Smith received one vote.

For the office of fireman, Geo. W. Bunce received thirteen votes.

Whereupon the president declared that the following officers

having received a majority of all the votes cast for their respective offices, were duly elected, to wit:

Thomas McHugh, secretary.

Richard Peters, assistant secretary.

Edward P. Lockhart, sergeant-at-arms.

Wm. B. Magee, messenger.

Geo. W. Bunce, fireman.

The officers elect then appeared at the president's desk and were severally sworn to the faithful discharge of their duties.

Mr. White introduced the following resolution, which was adopted, to wit:

"*Resolved*, That the secretary of the council be authorized to employ some suitable persons to assist in executing the necessary writing for the council during the present session."

"*Resolved*, That the usual courtesy of a seat within the bar of the council, be extended to all editors of newspapers in Wisconsin, clergymen of the different denominations, and ex-members of the constitutional convention."

Mr. Palmer, from the select committee to which that subject had been referred, made the following report, to wit:

"The committee appointed to revise the standing rules of the council, respectfully report the same back to the council, and recommend the following amendment:

Add to the standing committees, the following as a separate committee, viz:

'On county and township organization.'

Respectfully submitted,

A. PALMER, Ch'n."

Said report was then adopted.

Mr. Lovell moved that the rules as amended be printed;

Which was agreed to.

The resolution introduced by Mr. Manahan on yesterday, relative to newspapers for the use of the council, was then taken up;

And the question having been put on the adoption of the same;

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Collins, Darling, Manahan, McCartney, Phelps, Whitesides, and Wells, (President,)—7.

Those who voted in the negative, were

Messrs. Clark, Holmes, Lovell, Palmer, Turner, and White, —6.

Mr. Darling introduced the following resolution, which was adopted, to wit:

"Resolved, That the Secretary of the Territory be requested to lay before the council at his earliest convenience, an abstract of the late census of the Territory, showing the population by towns or precincts, and by counties.

A message from the house of representatives by their chief clerk.

"Mr. President:—The house of representatives have passed a resolution as follows:

'Resolved, (The council concurring,) that the standing joint rules of the two houses of the last session be adopted as the joint rules of the two houses for the present session, until others are adopted.'

In which the concurrence of this house is requested."

Mr. Lovell moved that the same be laid upon the table;

Which was agreed to.

A message from the house of representatives by their chief clerk.

"Mr. President:—I am directed to inform you that seats have been prepared in the representative's hall, for the accommodation of the honorable council, preparatory to the reception of the message of his excellency, the governor.

The house of representatives have passed,

'Resolution, relative to employment of fireman to the governor's room;'

In which the concurrence of the council is requested."

On motion of Mr. Lovell,

The council proceeded to the representatives' hall, where the governor, Henry Dodge appeared, and delivered the following

MESSAGE.

Fellow Citizens of the Council
and House of Representatives:

Since the organization of this territorial government, her legislative assembly have never convened under circumstances more highly calculated to excite feelings of gratitude to Him who holds the destiny of nations in his hand, and exalts or depresses them at his will. The great agricultural resources of Wisconsin are being developed; abundance has been the reward of the husbandman the past season, and in no portion of the United States have the people been more exempt from disease.

Twelve years ago, Wisconsin's fertile plains lay almost untouched by the hand of agriculture. Where then stretched wild and unbroken prairies, now can be seen waving fields with every variety of grain. Where the wigwams of the savage smoked, now are to be seen populous towns and villages. The savage war dance is changed to the song of civilization and its blessings; and the music of the stream on whose banks the Indians sought repose, is now lost in the hum of machinery. While millions in other countries are suffering for bread and trembling at the approach of death, we have an abundant supply for all our wants and a surplus to alleviate the wants of others. Wisconsin, in a few years, will be one of the great granaries of the west.

The people of the territory will be called on, at an early day, to vote for their acceptance or rejection of the constitution submitted to them by the late convention. The preparatory steps having been taken for the early organization of the state government, I have not deemed it proper to submit to the legislative assembly any subjects of general legislation. Under the state government, the first legislature will no doubt appoint a board of revision, to condense and revise the existing laws in force.

From the great accession to the population, the last two years, it may be necessary to pass laws during the present session of a local character, suited to the present wants and condition of

the people of the territory. "The chief end and tendency of all legislation should be to protect each citizen in his person, his property, and his individual rights, giving to every man and every interest, protection under the laws, but exclusive privileges to none"—"showering its favors as heaven doth its rain, alike on the high and the low, the rich and the poor."

Harbors located at suitable points on the western shore of Lake Michigan, for the protection of the greatly increased commerce of the lake, as well as for the security of the lives of thousands engaged in its navigation, is a subject of vital importance to the people of Wisconsin.

Congress having appropriated ninety thousand dollars for the commencement of harbors at the towns of Milwaukee, Racine and Southport, and the amount appropriated for that object having been expended, under the direction of the war department, by the established usage of the government, additional appropriations for the prosecution of the works on the harbors commenced were expected until their completion.

During the 27th and the 28th congress, bills passed the house of representatives appropriating, at different sessions, $262,700 for these harbors; and during the 29th congress bills passed both the house and the senate making appropriations for the same objects. The topographical engineers who made the surveys and estimates for the three different harbor locations, reported their estimates to the war department at about $220,000. I have always entertained the opinion that harbors located on the western shore of Lake Michigan, within the limits of this territory, were works of a national character. In that opinion I have not changed. Harbors are not only necessary for the protection of commerce and the security of the lives of thousands, but are of the first importance in a military point of view, to afford protection to the citizens of the territory, should a state of war exist: and to afford that protection, safe and convenient harbors should be established by the United States, where the necessary troops and munitions of war could be landed, for the security and safety of the lake towns, as well for the protection of the lake border settlements, as the whole extent of the northern frontier. The territorial limits of Wisconsin are bounded by a

British province, both by land and on the lakes. During the last war with Great Britain, she contended with the United States for the command of the lakes; and our first naval victory was gained on Lake Erie by the gallant and lamented Com. Perry. The British government has always exercised the most unbounded influence over the Indian tribes on our northwestern frontier. We are now in a state of peace, and from the great extent of our unprotected frontier, it would seem that the necessary preparations should be made to guard against the sleepless vigilance of that government should our present relations with it ever be changed to a state of war.

The commerce of Lake Michigan has increased in a proportion, it is believed, far exceeding that of any other inland waters in the United States. There has been exported, during the past year, from the best information I have been able to obtain, from the ports of Milwaukee, Racine and Southport, in the article of breadstuffs alone, 1,109,627 bushels of wheat, and 34,840 barrels of flour. The tonnage of those ports is, as near as the same can be ascertained, 4,500 tons. When the more northern parts of the territory come to be as generally settled as are the southern tier of counties, the exports will be proportionally increased, especially from the towns of Port Washington and Sheboygan. The counties in which these prosperous and growing towns are situated, already contain a population of about 24,000 souls. The northern tier of counties are settling rapidly, and from the great accession to their population they will soon have a large surplus of agricultural products for the eastern markets.

Surveys and estimates for harbors at the mouth of the Sheboygan and Manitowoc rivers have been made under the direction of the war department. Harbors at the mouths of those rivers would suit the present as well as the future population in the interior of the country, from the lake border in the direction of the Fox river. Port Washington is a prominent and important location on Lake Michigan, that presents claims for a harbor which should not be overlooked.

I recommend that the legislative assembly take such action on the subject of memorializing congress in relation to harbor

appropriations as the good of their constituents may seem to require. The United States are engaged in a state of war with a foreign power, and appropriations may not be obtained. That state of things, however, should not prevent the representatives of the people of the territory from setting forth and urging their just claims on congress for harbor appropriations. The people of Wisconsin have paid into the United States treasury near four millions of dollars for the public lands. A small per cent. on that amount, appropriated by congress, would have constructed the harbors necessary for the protection of commerce on the western shore of Lake Michigan. The settlers of this territory have had all the difficulties to encounter incident to the settlement of a new country. They are the pioneers of the great west, extending the power of this republic, and have a right to expect the protection of the government, under its constitution and laws.

By an act of congress, approved June 15, 1844, granting a section of land for the improvement of Grant river, at the town of Potosi, the legislative assembly of the territory was authorized to provide by law for the sale of the land granted, and apply the proceeds to the improvement contemplated by congress. Commissioners were appointed by law, and authorized to make sale of the land. They performed the duty assigned them, and paid over to a receiver appointed for that purpose the proceeds of the sales.

From the receiver's settlement it appears, that after defraying all necessary expenses the nett proceeds amounted to $2,725 43. The commissioners in the performance of their duties employed a civil engineer to make a survey and estimate for the contemplated improvement. The amount of the engineer's estimate is $20,041 45: the sum required for its completion will be $17,316 02. I would recommend that a memorial from the legislative assembly be forwarded to congress, asking for an appropriation to complete this improvement. There has been manufactured during the past year thirty million pounds of lead in Wisconsin. The town of Potosi is the most accessible and convenient point for shipping lead in the mining country, and the western counties in this territory are greatly interested in the early completion of this work.

The existing war between the United States and Mexico has furnished a brilliant page in our nation's history. War is justly considered one of the great scourges of nations. It was a maxim of one of the most distinguished chief magistrates of this republic, in his intercourse with foreign nations, "to ask nothing that was not right, and to submit to nothing that was wrong;" but until that just sentiment pervades the governments of the earth, we should at all times be prepared to meet this necessary evil, as a last resort to redress our wrongs or enforce our rights. By the act of congress of the 13th of May, 1846, it was expressly declared that by the act of the republic of Mexico, a state of war existed between that government and the United States, and it became the duty of the President of the United States, under the constitution and laws, to prosecute the war with all the means placed under his control by congress. After the most signal victories of our armies, the President presented the olive branch of peace to the Mexican government, acting from the most humane principles, and contrary to the usages heretofore observed by civilized nations when in a state of war. The Mexican government has appeared more disposed to dictate a peace to the United States than to negotiate one with them upon principles of justice and reciprocity. The President in the firm discharge of the high duties that have devolved upon him in the prosecution of the Mexican war, is entitled to the thanks of every true American, and the lasting gratitude of his country.

The late Capt. Quarles, from this territory, in the army of the United States, fell nobly with a large portion of his company, on the battle-field before the city of Mexico, with their country's flag waving triumphantly over them, in the face of the enemy. The memory of Capt. Quarles, and the men who fell in battle under his command, in the defence of the rights of our common country, will long be cherished by the grateful people of Wisconsin.

During the past year, treaties have been negotiated by a commissioner on the part of the United States, with the different bands of the Chippewa Indians of the Upper Mississippi and Lake Superior, who have ceded to the United States a large tract of country west of the Mississippi. A part of the ceded

country is intended for the future home of the Winnebagoes. And should the treaties negotiated be approved by the president, and ratified by the senate, their removal may be expected during the next summer or fall. Several parties of the Winnebagoes have crossed the Mississippi, and have been troublesome to the inhabitants bordering on the Mississippi and Wisconsin rivers. Gen. Fletcher, the United States sub-Indian agent, informed me by letters, that he had called on the commanding officer of the Iowa mounted dragoons, for a mounted force to remove the intruding Winnebagoes. I have learned that the dragoons had taken about one hundred of them across the Mississippi to the neutral country. Capt. Knowlton, commanding Fort Crawford, sent several detachments in pursuit of the Winnebagoes who were depredating on the property of the border inhabitants, and removed them west of the Mississippi.

On the 6th ultimo I received a petition, numerously signed, complaining that a party of about one hundred of the Winnebagoes were intruding on the inhabitants at or near the Beaver Dam and Fox Lake, Dodge county. I have addressed the sub-agent for the Winnebagoes, and requested of him that the mounted troops stationed at Fort Atkinson might be ordered to remove the intruding Indians.

I have also addressed the commissioner of Indian affairs on the subject of Indian intrusions on the inhabitants of Wisconsin, and requested that an order may be directed from the war department for mounted troops for their removal. This measure I deemed advisable, should the mounted troops now stationed at Fort Atkinson not remove the intruding Indians without an order from the war department.

The extinguishment of the Indian title to the Menomonee country is a subject of much interest, particularly that portion of their country bordering on the Fox and Wisconsin rivers. Owing to the proximity of the settlements to the Menomonee country, and the great accession to the population in northern Wisconsin during the past year, that country is now required for settlement and cultivation. Congress appropriated two thousand dollars to negociate a treaty with the Menomonees for their country, and it was expected that the treaty would have

been held during the past season. A resolution of the senate of the United States, of the third of March, 1842, prohibits provisions being made with Indians for the payment of debts by treaty stipulation. The commissioner of Indian affairs, in his annual report to the secretary of war, has expressed his views fully on the subject of holding a treaty with the Menomonee Indians, and concludes by stating that the department has been compelled, at least for the present, to abandon all idea of negotiating with the Menomonees.

The organization of the militia of the territory I have considered of the first importance for the protection of our frontier. Orders have been issued, through the office of the adjutant general, directing the commanding officers of regiments and separate battalions to enroll the militia of their several commands, and make their returns to that office; which would enable the adjutant general to make a general return of the militia of the territory to the adjutant general of the army, when the territory would be entitled to her quota of the public arms, under the act of congress of 1808: which would furnish a supply of arms for the volunteer companies, and a surplus to distribute to the militia in cases of emergency. The militia are the natural strength of the country; their strength and efficacy depends upon their organization and discipline. Wisconsin has an extended frontier, and in the event of an Indian war would be more exposed than any other part of the United States; hence the absolute necessity for a prompt organization of her militia. The government is now engaged in a war with Mexico, and Wisconsin may be called on to furnish volunteers, and should be prepared, at all times, to meet the calls of the general government.

The volunteers engaged in the Mexican war have proven to foreign powers that our citizen soldiers are equal to any troops that have ever faced an enemy. I have always entertained the opinion that the standing of our government in the estimation of foreign powers greatly depends upon our knowledge of arms, and our willingness to use them on all proper occasions.

Since the last annual session of the legislative assembly, Silas Wright, a great statesman of the Empire State of this Union,

has fallen by the hand of death, in the meridian of his life and usefulness to his country. When a member of the United States senate, he was an able supporter of the rights of the people of Wisconsin. He was in favor of a system of policy tending to promote her great agricultural and commercial interests. He was a firm patriot, a sagacious statesman, a friend of equal rights and universal freedom. For his self-sacrifice as a politician, for what he believed would promote the best interests of his country, he has justly been called the Cato of America. I respectfully recommend to the legislative assembly that a joint resolution of the council and house be passed, expressive of the high estimation in which the memory of Mr. Wright is held by the people of Wisconsin. This I deem a deserved tribute of respect to the memory of a great and good man.

The appropriation made by congress to defray the current expenses of the legislative assembly for the present fiscal year having in part been expended during the late special session, the unexpended balance is so limited in amount that the present session will necessarily be a short one. From the steps taken by the late convention for the organization of a state government, it would seem that the less legislation done at the present would best accord with the wishes of the people.

The legislative assembly will have my co-operation in every well directed effort to promote the public good. I trust your deliberations will be conducted in harmony and good feeling, and so as to best promote the prosperity of the people of Wisconsin.

HENRY DODGE.

Madison, February 7, 1848.

The council having returned to their chamber,

Mr. Holmes moved that the message from the house be taken up;

Which was agreed to.

And the question being on concurring in the

Resolution relative to employing a fireman to the governor's room;

Mr. Collins moved to amend the same, by adding the following proviso:

"*Provided*, The pay shall not exceed one dollar and fifty cents per day."

And the question having been put,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, McCartney, Palmer and Turner,—5.

Those who voted in the negative, were

Messrs. Darling, Holmes, Lovell, Manahan, Phelps, White, Whitesides, and Wells, (President,)—8.

The question was then put on the adoption of the resolution;

And was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Darling, Holmes, Lovell, Manahan, Phelps, Whitesides and Wells, (President,)—7.

Those who voted in the negative, were

Messrs. Clark, Collins, McCartney, Palmer, Turner and White,—6.

Mr. Whitesides moved that 1000 copies of the governor's message be printed in the English language, for the use of the council;

Which was agreed to.

On motion of Mr. Lovell,

The council adjourned.

WEDNESDAY, February 9, 1848.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read.

The president announced the appointment of the following, as the standing committees of the council.

On internal improvements—Messrs. Collins, White, and Phelps.

On territorial affairs—Messrs. Clark, Darling, and Manahan.

On the judiciary—Messrs. Lovell, Holmes, and Collins.

On agriculture and manufactures—Messrs. McCartney, Turner, and Whitesides.

On territorial expenditures—Messrs. Holmes, Manahan, and Palmer.

On legislative expen litures—Messrs. Turner, Lovell, and McCartney.

On militia—Messrs. Whitesides, White, and Holmes.

On schools—Messrs. White, Collins, and Darling.

On incorporations—Messrs. Palmer, McCartney, and Clark.

On territorial roads—Messrs. Phelps, Turner, and White.

On engrossed bills—Messrs. Manahan, Lovell, and Clark.

On enrolled bills—Messrs. Darling and Palmer.

On county and township organization—Messrs. Darling, White, and Whitesides.

Mr. Whitesides introduced the following resolution, which was adopted, to wit:

Resolved, That the message of his excellency, the Governor, be referred to the committee of the whole.

Mr. Darling introduced the following resolution, which was adopted to wit:

Resolved, That 300 copies of the Governor's message, extra, be published in each of the German and Norwegian newspapers published in this territory, and be distributed by the publishers thereof, among the persons in the different parts of the territory, reading those languages.

The president presented a communication from the secretary of the territory, containing an abstract of the census, in accordance with a resolution heretofore adopted.

Mr. Darling moved that said communication be printed;

Which was agreed to.

Notices of intention to introduce bills were given as follows:

By Mr. Collins:

A bill to incorporate the Port Washington, Horicon, and Beaver Dam turnpike company.

By Mr. Clark:

A bill to incorporate the Du Lac academy.

By Mr. White:

A bill authorizing the construction of a plank road from Racine to Rock river.

By Mr. Lovell;

A bill to discontinue an alley in the village of Southport.

Mr. Lovell introduced the following resolution, to wit:

Resolved, (the house of representatives concurring) That the publishers of the several newspapers printed in this territory, in the German and Norwegian languages, be severally authorized and requested to print and distribute among the German and Norwegian inhabitants of the territory, extra copies of the newspaper containing the proposed constitution for the state of Wisconsin, adopted in convention February 1st, 1848, and that they be severally paid therefor out of the territorial treasury.

Mr. Lovell moved that the rules be suspended for the consideration of said resolution now;

Which was agreed to.

Mr. Lovell moved to fill the blank in said resolution by the words "one thousand;"

Which was agreed to.

The resolution as amended was then adopted.

Petitions were presented and referred as follows, to wit:

By Mr. Lovell:

A petition of citizens of Southport, asking for the renewal of tax warrants;

Which was referred to the committee on schools.

By Mr. Palmer:

Petition of T. H. Crisman and 50 other inhabitants of town 2, range 11, east, in Rock county, praying to be set off and organized into a separate township;

Which was referred to the committee on county and township organization.

By Mr. Darling:

Four petitions of inhabitants of Fond du Lac and Sheboygan counties, praying for authority to levy a special highway tax, to

be expended in improving a territorial road from Fond du Lac to Sheboygan;

Which was referred to the committee on the judiciary.

By Mr. Darling:

A remonstrance of inhabitants of Winnebago county, against the annexation of any portion of said county to the county of Marquette;

Which was laid on the table.

The council then resolved itself into committee of the whole for the consideration of the message of his excellency, the Governor,

Mr. Lovell in the chair.

And after some time spent therein, the committee rose and by their chairman reported back to the council the following resolutions:

1st. *Resolved*, That so much of the Governor's message as relates to the improvement of the lake and river harbors, be referred to the committee on internal improvements.

2d. *Resolved*, That so much of the message of his excellency the Governor, as refers to the militia, and our relations with neighboring tribes of Indians, be referred to the committee on the militia.

3d. *Resolved*, That so much of the Governor's message as relates to extinguishment of the Indian title to the lands west of the Fox river, be referred to a select committee of three.

4th. *Resolved*, the house concurring, that so much of the message of his excellency, the governor, as relates to the death of the Hon. Silas Wright, of New York, be referred to a joint select committee of the two houses, to consist of members of the council, and members of the house.

5th, *Resolved*, That so much of his excellency, the Governor's message as relates to the appropriation of congress to defray the expenses of the legislative assembly of Wisconsin, be referred to the committee on legislative expenditures.

6th. *Resolved*, That so much of the Governor's message as relates to the Mexican war, be referred to a committee of three.

7th. *Resolved*, That so much of the Governor's message as

relates to an appropriation for the improvement of Grant river, be referred to the committee on internal improvements.

The question being on concurring in the resolutions of the committee of the whole,

Mr. Darling called for a division of the question.

The 1st, 2d, and 3d resolutions were then adopted.

Mr. Palmer moved to fill the blanks in the 4th resolution by inserting in the first, "three," and in the second, "five."

Which was agreed to.

The resolution as amended was then adopted.

The 5th resolution was then adopted.

The question having been put on the adoption of the 6th resolution,

It was decided in the negative.

And a division having been called for,

There were five in the affirmative, and six in the negative.

The 7th resolution was then adopted.

Mr. Lovell introduced the following resolution, which was adopted, to wit:

"*Resolved,* That so much of the Governor's message as relates to the Mexican war, and to the gallant officers and soldiers who have fallen in its prosecution, be referred to the committeee on the militia."

A message from the house of representatives by their chief clerk.

Mr. President: The house of representatives have passed resolutions of this house, entitled as follows:

"Resolution relative to the joint rules of the two houses," and

"Resolution relative to printing the constitution in the German and Norwegian languages."

On motion of Mr. Lovell,

The council adjourned.

THURSDAY, February 10, 1848.

Prayer by the Rev. Mr. Penman.

The journal of yesterday was read.

The president presented the annual report of the auditor and secretary of the territory.

Mr. Darling moved that said reports be referred to the committee on legislative expenditures;

Which was agreed to.

The president announced the appointment of the following committee under resolution No. 3, of yesterday, to wit:

Messrs. Darling, Manahan and Collins;

And of the joint committee on the part of the council, under "joint resolution relative to a reference of the message of the Governor,"

Messrs. Palmer, Lovell and Clark.

Petitions, &c., were presented and referred, as follows, to wit:

By Mr. White:

A petition of inhabitants of Racine county, for an act of incorporation for a plank road from Racine to Rock river;

Which was referred to a select committee consisting of Messrs. White, McCartney and Phelps.

By Mr. Holmes:

A petition of inhabitants of the town of Sullivan, Jefferson county, asking for a change of the boundary of their town;

Which was referred to the committee on county and township organization.

By Mr. Holmes:

The claim of B. W. Finch, against the territory;

Which was referred to the committee on territorial expenditures.

By Mr. Darling:

Three petitions of inhabitants of Fond du Lac and Winnebago counties, asking for the location of a territorial road from Fond du Lac to Plover Portage via. Humesville. Also,

A petition of citizens of the territory, asking the location of a territorial road from Green Bay to Fort Winnebago;

Which were severally referred to the committee on roads.

By Mr. Darling:

The account of Hale & Chapman;

Which was referred to the committee on legislative expenditures. Also,

The petition of Daniel Hiler, asking to be divorced from his wife;

Which was referred to the committee on the judiciary. Also,

The petition of inhabitants of town 16, range 16, Fond du Lac county, asking to be organized into a separate town by the name of Eldorado.

By Mr. Manahan:

A petition of inhabitants of Crawford county, asking that James D. Gay be allowed to build and maintain a dam across the Kickapoo river;

Which was referred to the committee on corporations.

Mr. Lovell, by leave introduced,

No. 1, (C.) "A bill relating to an alley in the village of Southport;

Which was read the first and second times.

Notices of intention to introduce bills, were given, as follows, to wit:

By Mr Darling, of

A bill to define more accurately the bounds of Foud du Lac county, and the jurisdiction of counties to Lake Winnebago.

By Mr. Collins, of

A bill to define the boundary line between the counties of Marquette and Fond du Lac.

By Mr. White, of

A bill for the incorporation of the trustees for the management and care of the funds and property belonging to the Protestant Episcopal Church in Wisconsin.

By Mr. McCartney, of

A bill authorizing the trustees of school district No. 3, in Cassville school town, to collect a tax to build a school house.

By Mr. Darling, of

A bill to change the boundaries of the town of Lawrence, in the county of Brown.

Mr. Darling introduced the following resolution, which was adopted, to wit:

"*Resolved*, That the committee on the judiciary be instructed to inquire ino the expediency of providing by law for a uniform assessment of real estate, including improvements thereon, and personal property, throughout the territory, and to provide for the return of such assessment to the first session of the legislature under the state government, and that they report by bill or otherwise."

A message from the House of Representatives by their chief clerk.

"Mr. President:—The house of representatives have passed a resolution of this house, entitled

'Joint resolution relative to a reference of the message of his excellency, the Governor;'

And have appointed Messrs Walker, Holliday, Cothren, Wakeley and Williston of the committee on the part of the house, under said resolution."

On motion of Mr. Holmes,

The council adjourned.

Friday, February 11, 1848.

Prayer by the Rev. Mr. Penman.

The journal of yesterday was read.

The president presented the resignation of Richard Peters, as assistant secretary.

Petitions, &c., were presented and referred as follows, to wit.:

By Mr. Palmer:

The account of George W. Crabb against the territory.

By Mr. Clark:

The account of E. A. Cooley against the territory.

By Mr. Manahan:

The account of H. A. Wright against the territory.

Which were severally referred to the committee on territorial expenditures.

By Mr. White:

A petition of citizens of Walworth county, asking for the incorporation of the Racine and Rock river plank road company;

Referred to select committee on that subject.

Mr. Phelps moved that the resignation of Mr. Peters be accepted;

Which was agreed to.

The council then proceeded to the election of assistant secretary.

Messrs. Lovell and Phelps were appointed tellers to receive and canvass the votes.

A ballot having been taken and counted, the tellers reported

that the whole number of votes were	13
Necessary to a choice,	7
Of which A. G. Cole received	5
W. T. Bonnivell received	7
Blank,	1

The president declared that W. T. Bonnivell, having received a majority of all the votes given, was duly elected assistant secretary.

Mr. Darling presented a petition of 150 citizens of Sheboygan county, for authority to levy a special highway tax to be expended upon a territorial road between Sheboygan and Fond du Lac;

Which was referred to the committee on the judiciary.

Also, a petition for a territorial road from Green Bay to Fort Winnebago;

Which was referred to the committee on roads.

Mr. Phelps, by leave, introduced the following resolution:

"*Resolved*, (the house concurring,) That the sum of twelve

dollars be allowed to Richard Peters for four days services as assistant secretary of the council, and that the secretary of the territory be requested to pay the same."

And the rules having been first suspended for that purpose,

Said resolution was adopted.

Mr. Collins presented a petition of inhabitants of town 6, range 10, for town organization;

Which was referred to the committee on county and town organization.

The assistant secretary elect then appeared at the president's desk and was sworn to the faithful discharge of his duties.

Notices for leave to introduce bills, &c., were given, as follows, to wit:

By Mr. Manahan:

A memorial to the congress of the United States, praying for the opening of a military road from Fort Crawford to Fort Snelling;

Also, a memorial in relation to certain mail routes therein named.

By Mr. White, of

A bill relative to the village of Racine.

By Mr Lovell, of

A bill to compel the determination of claims to real property.

Mr. Clark, by leave, introduced

No. 2, (C.) "A bill to incorporate the Du Lac Academy;"

Which was read the first and second times.

Mr. Palmer, from the committee to whom that subject had been referred, reported

No. 3, (C.) "A bill to authorize James D. Gay to build and maintain a dam across the Kickapoo river;"

Which was read the first and second times.

Mr. White, from the select committee to which had been referred sundry petitions relative to a plank road from Racine to Rock river, made the following report, to wit:

[*See Appendix.*]

And also reported,

No. 4, (C.) "A bill to incorporate the Racine and Rock River Plank Road Company;"

Which was read the first and second times.

Mr. Lovell moved that 500 copies of the report be printed for the use of the council;

Which was agreed to.

Mr. Turner, from the committee to whom that subject was referred, made the following report, to wit:

"The committee to whom was referred so much of the governor's message as relates to the appropriation of congress to defray the expenses of the legislative assembly of Wisconsin, ask leave to

REPORT:

That they have had the subject referred to them under consideration, and by conferring with the secretary of the territory have arrived at the following statement of facts,

The appropriation made by congress, approved March 3, 1847, is stated to be $13,700 00, and the amount already paid to defray the expenses of the October session to be $5,045 21, leaving a balance unexpended of $8,654 79, applicable to the payment of the present session of the legislative assembly. Which amount, upon a ratio of expenditures to compare with the extra session, would enable the present territorial legislature to continue this session for the term of about twenty-four days.

Your committee have not considered it necessary to express any opinion on the subject of continuing the present session beyond that period, having regard to the subject submitted.

All of which, &c.

JOSEPH TURNER, Ch'n."

Said report was accepted, and the committee discharged from the further consideration of the subject.

Mr. Holmes moved that the said report be printed.

Mr. Manahan moved to amend the motion by inserting the words "250 copies;"

Which was disagreed to.

The question then recurred on the motion of Mr. Holmes,

And having been put,

It was decided in the affirmative.

Mr. Holmes, by leave, introduced the following resolution, which was adopted, to wit:

"*Resolved*, That the committee on the judiciary be instructed to enquire if any and what counties are delinquent in the payment of the several amounts therein collected for territorial purposes, for what year or years, and the amount for each year said counties are delinquent. And also what action, if any, is necessary to compel the payment of the taxes heretofore collected for territorial purposes, and to secure the immediate payment of all moneys hereafter collected for said purposes, and they report at their earliest convenience."

The president presented the account of Edward Weisner against the territory;

Which was referred to the committee on territorial expenditures.

Mr. Collins, by leave, introduced

No. 5, (C.) "A bill to define the boundary line between the counties of Marquette and Fond du Lac;"

Which was read the first and second times.

Mr. Collins, by leave, presented the account of G. W. Mitchell against the territory;

Which was referred to the committee on territorial expenditures.

Mr. White, from the committee on schools, reported

No. 6, (C.) "A bill to authorize school district No. 1 in the town of Southport to renew a tax warrant;"

Which was read the first and second times.

A message from the house of representatives, by their chief clerk:

"Mr. President—The house of representatives have rejected a resolution of this house of the following title:

'Resolution relative to the payment of assistant secretary of the council.'"

On motion of Mr Clark,

The council adjourned.

SATURDAY, February 12, 1848.

Prayer by the Rev. Mr. Penman.

The journal of yesterday was read.

Petitions, accounts, &c., were presented and referred, as follows, to wit:

By Mr. Turner:

A memorial of the supervisors of Waukesha county, asking authority to levy a highway tax;

Which was referred to the committee on the judiciary. Also,

A petition of citizens of Waukesha county, asking for a territorial road;

Which was referred to the committee on roads.

By Mr. Lovell:

Petition of 112 citizens of Racine connty, asking for a division of said county;

Which was referred to the committee on county and town organization.

By Mr. White:

A remonstrance of 130 citizens of Racine county, against any division of said county;

Which was referred to the committee on county and town organization.

By Mr. Darling:

A petition of 158 inhabitants of Winnebago county, asking for a territorial road from Green Bay to Fort Winnebago. Also,

A remonstrance of citizens of Winnebago county, against the annexation of any part of said county to the county of Marquette;

Which was referred to the committee on county and town organization.

By Mr. Holmes:

A petition of 41 inhabitants of Jefferson county, relating to a territorial road;

Which was referred to the committee on roads. Also.

A petition of Daniel Baxter asking payment for a balance due him from the territory;

Which was referred to the committee on territorial affairs.

By Mr. Darling:

Petition of Elisha Morrow asking leave to construct a dam across the Oconto river in Brown county;

Which was referred to the committee on incorporations.

By Mr. White:

A remonstrance against vacating the road from Burlington to Delevan;

Which was referred to the committee on roads.

By the President:

Petition of Jane Ann Charter for a divorce;

Which was referred to the committee on the judiciary.

Mr. Mc Cartney, by leave, introduced,

No. 2, (C.) "Memorial to congress for an appropriation to complete the steamboat landing at Potosi, in Wisconsin;

Which was read the first and second times.

Mr. Lovell introduced the following resolution, which was adopted, to wit:

"*Resolved*, That the auditor and treasurer of the territory, report to the council what county or counties (if any) are delinquent in the payment of the amounts required by law to be collected and paid into the territorial treasury, in what year and years such delinquency occurred, and the amount due from such county."

Mr. Palmer, from the committee to which that subject had been referred, reported

No. 1, (C.) "Preamble and resolutions relative to the death of Silas Wright;"

Which was read the first and second times.

Mr. White gave notice that an some subsequent day, he should ask leave to introduce

A bill for legalizing the territorial road from Racine to Burlington.

Mr. Mc Cartney, by leave introduced

No. 7, (C.) "A bill to authorize the trustees of Plover Grove district to collect a tax to build a school house;

Which was read the first and second times.

Mr. Lovell, by leave, introduced

No. 8, (C.) "A bill to compel the determination of claims to real property;

Which was read the first and second times.

Mr. Holmes gave notice that on some future day he should ask leave to introduce

A bill concerning the conveyance of real estate.

Mr. Darling, by leave, introduced

No. 9, (C.) "A bill to define the boundaries of the county of Fond du Lac, and the jurisdiction of counties to Lake Winnebago; also to legalize the acts of said county as to certain towns therein organized;" also,

No. 10, (C.) "A bill to change the boundaries of the town of Lawrence, in the county of Brown;"

Which were severally read the first and second times.

Mr. White, by leave, introduced

No. 11, (C.) "A bill relating to the village of Racine;"

Which was read the first and second times.

Mr. Turner, from the committee to whom that subject had been referred, made the following

REPORT:

The committee to whom was referred the subject of printing the report of the secretary and auditor of the territory, ask leave to report:

That they have had the subject under consideration, and from the nature and importance of the documents, would recommend that two hundred copies of each be printed.

Respectfully submitted,

JOSEPH TURNER, Chairman.

The said report was then adopted.

The council then resolved itself into committee of the whole for the consideration of

No. 1, (C.) "A bill relating to an alley in the village of Southport;"

Mr. Clark in the chair.

And after some time spent therein, the committee rose and by their chairman reported the same back to the council without amendment.

Said bill was then ordered to be engrossed and read a third time.

Mr. Manahan, from the committee on engrossment, reported bill

No. 1, (C.) As correctly engrossed.

Said bill was then read a third time, passed, and the title there of agreed to.

Mr. White, by leave, introduced,

No. 12, (C.) "A bill to incorporate the trustees for the management and care of the funds and property belonging to the Protestant Episcopal Church in Wisconsin;"

Which was read the first and second times.

A message from the house of representatives by their chief clerk.

"Mr. President: The house of representatives have passed No. 1, (H. of R.) 'A bill to dissolve the marriage contract between Sarah H. Roper and William Roper;'

In which the concurrence of the council is requested."

Mr. Clark, by leave, presented nine remonstrances of citizens of Walworth county, against any division of said county;

Which were referred to the committee on county and town organization.

Mr. Darling introduced the following resolution, which was adopted, to wit:

"*Resolved*, that the President and Secretary of the council be authorized to issue a certificate to Richard Peters, for four days services, as assistant secretary, at the usual rates of three dollars per day."

Mr. Lovell, by leave, introduced the following resolution, to wit:

"*Resolved*, That 250 additional copies of the communication of the Secretary of the Territory, containing an abstract of the population of Wisconsin, be printed for the use of the council."

Mr. Collins moved to amend by striking out the words, "two hundred and fifty," and inserting in lieu thereof "five hundred;"

Which was agreed to.

The resolution as amended, was then adopted.

On motion of Mr. Palmer,

The council adjourned.

Monday, February 14th 1848.

Prayer by the Rev. Mr. Lord.

The journal of Saturday was read and corrected.

Petitions, &c., were presented and referred as follows:

By Mr. Lovell:

A petition of L. F. King and 300 other inhabitants of the county of Racine, praying for a division of said county;

Which was referred to the committee on county and town organization; also,

The account of Wallace Mygatt;

Which was referred to the committee on territorial expenditures.

By Mr. Phelps:

A petition of the inhabitants of town 12, range 18, asking to be set off into a separate town for town purposes;

Which was referred to the committee on town and county organization.

By Mr. White:

A remonstrance from the citizens of Racine county, against a division of said county;

Which was referred to the committee on town and county organization.

By Mr. Darling:

A petition for a territorial road from Fond du Lac to Plover Portage;

Which was referred to the committee on roads.

By Mr. Manahan:

A petition of Alfred Brunson relative to the heirs of the late Thomas P. Burnett;

Which was referred to the committee on territorial expenditures.

By Mr. Collins:

A memorial from the supervisors of Dane county relative to legalizing certain acts of said board;

Which was referred to the committee on the judiciary; also,

The accounts of O. Rood, E. A. Cooley, and S. Mills & Co.

Which were severally referred to the committee on territorial expenditures.

Notices for leave to introduce bills, were given as follows:

By Mr. Phelps, of

A bill to legalize the acts of the supervisors of the town of Port Washington for the year A. D. 1846.

By Mr. Lovell, of

A bill to incorporate the Southport and Beloit plank road company. Also,

A bill to amend the several acts incorporating the village of Southport.

By Mr. Manahan, of

A bill for the relief of Crawford county relative to taxes.

By Mr. White, of

A bill to legalize a road in the towns of Mount Pleasant and Paris, in the county of Racine.

Mr. Holmes, by leave, introduced

No. 13, (C.) "A bill concerning the conveyance of real estate;"

Which was read the first and second times.

Mr. Palmer, from the committee on incorporations, reported

No. 14, (C.) "A bill to authorize Elisha Morrow to build and maintain a dam across the Oconto river;"

Which was read first and second times.

Mr. Darling, by leave, introduced

No. 3, (C.) "A memorial to the senate of the United States upon the subject of a treaty with the Menomonee tribe of Indians for the lands north of Fox river;"

Which was read the first and second times.

The message from the house of representatives of Saturday, was then taken up; and

No. 1. (H. of R.) "A bill to dissolve the marriage contract between Sarah H. Roper and William Roper;"

Was read the first and second times.

Mr. Clark moved that said bill be referred to a select committee of three;

Which was agreed to.

The president announced the appointment of the following committee, to whom said bill was referred, to wit:

Messrs. Clark, Darling and Turner.

Mr. Manahan introduced the following resolution, which was adopted, to wit:

"*Resolved*, That the territorial printer be, and he is hereby instructed to append the last census of Grant county, taken by the order of the county commissioners, to the official report of the secretary of the territory, of the census.

The council then resolved itself into the committee of the whole, for the consideration of

No. 2, (C.) "A bill to incorporate the Du Lac Academy;"

Mr. Darling in the chair.

And after some time spent therein, the committee rose and by their chairman reported the same back to the council with sundry amendments thereto.

Said amendments were severally concurred in, and the bill ordered to be engrossed and read the third time.

Mr. White, by leave, introduced

No 15, (C.) "A bill to legalize the territorial road from Racine to Burlington;"

Which was read the first and second times.

The council then resolved itself into committee of the whole, for the consideration of

No. 6, (C.) "A bill to authorize school district No. 1, in the

town of Southport, to renew a tax warrant;"

Mr. Manahan in the chair.

And after some time spent therein the committee rose, and by their chairman reported the same back to the council without amendment.

The said bill was ordered to be engrossed, and read a third time.

The council then resolved itself into committee of the whole, for the consideration of

No. 1, (C.) "Preamble and resolutions relative to the death of Silas Wright;"

Mr. Turner in the chair.

And after some time spent therein, the committee rose, and by their chairman reported it back with an amendment.

The said amendment was then concurred in; and

The said preamble and resolution were ordered to be engrossed and read a third time.

Mr. Manahan, from the committee on engrossment, reported as correctly engrossed

Bill No. 6, (C.)

On motion of Mr. Lovell,

The council took a recess until half past two o'clock, P. M.

HALF PAST TWO O'CLOCK, P. M.

The council resolved itself into committee of the whole, for the consideration of

No. 3, (C.) "A bill to authorize James Gay to build and maintain a dam across the Kickapoo river;"

Mr. Collins in the chair.

And after some time spent therein, the committee rose, and by their chairman reported the same back to the council without amendment.

Said bill was then ordered to be engrossed, and read a third time.

No. 6. (C.) "A bill to authorize school district No. 1, in the

town of Southport to renew a tax warrant;"

Was then taken up, and read the third time and passed.

The question being on agreeing to the title,

Mr. Lovell moved to amend the same, by striking out the letter "a," and adding to the word "warrant" the letter "s;"

Which was agreed to.

The title as amended was agreed to.

Mr. Manahan, from the committee on engrossment, reported as correctly engrossed

No. 2, (C.) "A bill to incorporate the Du Lac Academy.

Mr. Whitesides moved that said bill be referred to the committee on the judiciary, with instructions to amend the same, by striking out the following section, to wit:

Sec. 5. Color shall never be made a test of qualification for admission to the school as a pupil.

And the question having been put,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Manahan, McCartney, Whitesides and Wells, (President,)—4.

Those who voted in the negative, were

Messrs. Clark, Collins, Darling, Holmes, Lovell, Palmer, Phelps, Turner and White,—9.

Said bill was read the third time.

And the question having been put on the passage of the same;

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling, Holmes, Lovell, Palmer, Phelps, Turner, White and Wells, (President.)—10.

Those who voted in the negative, were

Messrs. Manahan, McCartney, and Whitesides,—3.

So the bill passed and the title thereof was agreed to.

The council then resolved itself into committee of the whole, for the consideration of

No. 12, (C.) "A bill to incorporate the trustees for the management and care of the funds and property belonging to the Protestant Episcopal Church in Wisconsin;"

Mr. Holmes in the chair.

And after some time spent therein, the committee rose, and by their chairman reported the same back with amendment.

Said amendment was then concurred in, and the bill was ordered to be engrossed, and read the third time.

The council then resolved itself into committee of the whole, for the consideration of

No. 7, (C.) "A bill to authorize the trustees of Plum Grove district to collect a tax to build a school house;"

Mr. Whitesides in the chair.

And after some time spent therein, the committee rose, and by their chairman reported the same back without amendment.

Mr. Holmes moved that said bill be laid upon the table;

Which was agreed to.

The council then resolved itself into committee of the whole, for the consideration of

No. 5, (C.) "A bill to define the boundary line between the counties of Marquette and Fond du Lac;"

Mr. Palmer in the chair.

And after some time spent therein, the committee rose, and by their chairman reported the same back without amendment.

Mr. McCartney moved that the said bill be referred to the committee on the judiciary;

Which was agreed to.

The council then resolved itself into committee of the whole, for the consideration of

No. 2, (C.) "Memorial to congress for an appropriation to complete the steamboat landing at Potosi, in Wisconsin;

Mr. Phelps in the chair.

And after sometime spent therein, the committee rose, and by their chairman reported the same back to the council with amendments thereto.

Said amendments were then concurred in.

Mr. Palmer moved to amend the memorial by striking out in the 15th line the word "following."

Which was agreed to.

Said memorial was then ordered to be engrossed and read a third time.

Bill No. 7, (C.) was then taken up, and ordered to be en-

grossed, and read a third time.

Mr. Manahan, from the committee on engrossment, reported Resolution No. 1, (C.) and bill No. 3, (C.) as correctly engrossed.

The council then resolved itself into committee of the whole, for the consideration of

Bill No. 9, (C.)

Mr. White in the chair.

And after some time spent therein, the committee rose, and by their chairman reported the same back without amendment.

Mr. Holmes moved that the same be referred to the committee on the judiciary;

Which was agreed to.

On motion of Mr. Lovell,

The council adjourned.

Tuesday, February 15, 1848.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read.

Petitions, &c., were presented and referred as follows:

By Mr. Clark:

The account of Thomas McHugh against the territory;

Which was referred to the committee on territorial expenditures.

By Mr. Holmes:

Three petitions of the inhabitants of the county of Dodge, asking for a territorial road;

Which was referred to the committee on roads.

Also, a petition of inhabitants of Jefferson county, relating to firing prairies;

Which was referred to the committee on the judiciary.

Also, a petition of H. W. Johnston for a divorce;

Which was referred to a select committee, consisting of Messrs. Holmes, Whitesides and Clark.

By Mr. Lovell:

The account of C. L. Sholes;

Which was referred to the committee on territorial expenditures.

Also, a petition of W. Metcalf and other inhabitants of Racine county, asking for a charter for a road company;

Which was referred to the committee on incorporations.

Also, a petition of citizens of Southport, asking for an act amending the charter of said village;

Which was referred to the committee on incorporations.

By Mr. Clark:

A petition of inhabitants of the town of Linn, in Walworth county, relative to certain roads;

Which was referred to the committee on the judiciary.

By Mr. Collins:

The account of William H. Foote against the territory;

Which was referred to the committee on territorial expenditures.

By Mr. Darling:

A petition of inhabitants of Dodge county, asking to be annexed to the county of Fond du Lac;

Which was referred to the committee on town and county organization.

By Mr. White:

Of inhabitants of Racine county, relative to certain roads in said county;

Which was referred to the committee on roads.

By Mr. Turner:

The proceedings of a meeting of the citizens of Waukesha, relative to an amendment of their charter;

Which was referred to the committee on corporations.

Also, a contract between the superintendent and C. M. Rouse for wood;

Which was referred to the committee on legislative expenditures.

Mr. Holmes introduced the following resolution, which was adopted, to wit:

"*Resolved*, That the superintendent of territorial property be and hereby is directed to procure the necessary additional quantity of stationery for the use of the present session of the legislative assembly."

Mr. Manahan, by leave, introduced

No. 16, (C.) "A bill for the relief of Crawford county relative to taxes;"

Which was read the first and second times.

Mr. Manahan, from the committee on engrossment, reported as correctly engrossed,

Bills No. 7 and 12, (C.) and memorial No. 2, (C.)

Mr. Clark, from the select committee to whom that subject had been referred, made the following report, to wit:

"The special committee to whom was referred bill No. 1, (H. of R. file,) with the accompanying documents, respectfully

REPORT:

That they have had the same under consideration, have impartially investigated the claims of the petitioner, and have carefully examined all the testimony in relation to the case furnished them by the parties interested, and are constrained to recommend the bill as passed by the house of representatives to the favorable consideration of the council.

HENRY CLARK, Chn."

Said bill was then read the second time.

No. 2, (C.) "Memorial to congress for an appropriation by congress to complete the steamboat landing at Potosi, in Wisconsin,"

Was then taken up and read the third time.

Mr. Palmer moved that said memorial be referred to the committee on schools;

Which was disagreed to.

And a division having been called for,

There were 4 in the affirmative and 7 in the negative.

Mr. Manahan asked and obtained the unanimous consent of the council to amend said memorial by striking out the words

"of the territory of," in the second line of the last paragraph.

Mr. Holmes asked and obtained the unanimous consent of the council to amend the same by striking out the 6th line of the printed bill to the word "territory," inclusive," and add the words "a large amount of the vast quantity of lead raised in the territory is shipped."

Said memorial was then passed and the title thereof agreed to.

No. 1, (C.) "Resolutions relative to the death of Silas Wright,"

Was then read the third time.

And the question having been put on the passage of the same,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Collins, Darling, Holmes, Lovell, Manahan, McCartney, Palmer, Phelps, Turner, White, Whitesides and Wells, (President,)—13.

None voting in the negative.

So the said resolutions passed, and the title thereof was agreed to.

No. 12, (C.) "A bill to incorporate the trustees for the management and care of the funds and property belonging to the Protestant Episcopal Church in Wisconsin," and

No. 7, (C.) "A bill to authorize the trustees of Plum Grove district to collect a tax to build a school house,"

Were read the third time, passed, and the titles thereof agreed to.

Mr. Lovell moved that

Bill No. 8, (C.) be referred to the committee on the judiciary;

Which was agreed to.

The council then resolved itself into committee of the whole for the consideration of

No. 13, (C.) "A bill concerning the conveyance of real estate;"

Mr. Whitesides in the chair.

And after some time spent therein the committee rose, and by

their chairman reported the same back to the council with amendments thereto.

Said amendments were concurred in.

Mr. Collins moved to amend the same by striking out the second section.

And pending the question thereon,

On motion of Mr. Wells,

Said bill was referred to the committee on the judiciary.

A message from the house of representatives by their chief clerk.

"Mr. President:—The house of representatives have passed

No. 3, (H. of R.) 'A bill to authorize the commissioners of Waukesha county to procure certain records from the county of Milwaukee,' and

No. 5, (H. of R.) 'A bill to amend an act entitled 'an act relating to strays,' approved January 13, 1840.'

In each of which the concurrence of the council is requested."

On motion of Mr. Manahan,

The council took a recess until half-past two o'clock P. M.

HALF-PAST TWO OCLOCK, P. M.

The council resolved itself into committee of the whole for the consideration of

No. 1, (H. of R.) "A bill to dissolve the marriage contract between Sarah H. Roper and William Roper,"

Mr. Darling in the chair.

And after some time spent therein the committee rose and by their chairman, reported the same back to the council without amendment.

Mr. Palmer moved that the further consideration of said bill be postponed until the first Monday in June next;

Mr. Holmes moved that the council adjourn.

And the question having been put,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Holmes, Lovell, Manahan, McCartney, Palmer, and Wells, (President,)—6.

Those who voted in the negative, were

Messrs. Clark, Collins, Darling, Phelps, Turner, and Whitesides,—6.

Mr. Lovell moved a call of the council.

Messes. Holmes and Manahan were reported as absent.

The sergeant-at-arms was sent to procure the attendance of the absentees.

The sergeant-at-arms having reported the absentees to be in attendance,

The question was put on the motion of Mr. Palmer.

And was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Lovell, Palmer, and White,—3.

Those who voted in the negative, were

Messrs. Clark, Collins, Darling, Holmes, Manahan, McCartney, Phelps, Turner, Whitesides, and Wells, (President,) —10.

Mr. Lovell moved that the council adjourn;

Which was disagreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Holmes, Lovell, Manahan, Palmer, and White,—5.

Those who voted in the negative, were

Messrs. Clark, Collins, Darling McCartney, Phelps, Turner, Whitesides, and Wells, (President)—8.

The question was then put on ordering said bill to be read the third time.

And was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling, Manahan, McCartney, Phelps, Turner, Whitesides, and Wells, (President,)—9.

Those who voted in the negative, were
Messrs. Holmes, Lovell, Palmer, and White,—4.

Mr. Lovell moved that the council adjourn.

And the question having been put,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling, Holmes, Lovell, Manahan, McCartney, Palmer, Phelps, Turner, White, Whitesides, and Wells, (President,)—13.

None voting in the negative.

So the council adjourned.

Wednesday, February 16, 1848.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read.

Petitions, &c. were presented and referred as follows:

By Mr. Palmer:

A remonstrance of E. A. Foot and 113 other inhabitants of the town of Centre, Rock county, remonstrating against the division of said town;

Which was referred to the committee on county and town organization.

By Mr. Clark:

A petition of J. C. Mills and 27 other citizens of Walworth county, against any division of said county;

Which was referred to the committee on county and town organization.

The President laid before the council the following communication from the secretary of the territory. [*See Appendix.*]

Said communication was referred to the committee on territorial expenditures.

The President also laid before the council the following communication from the auditor and treasurer: [*See Appendix.*]

Mr. Darling moved that the said communication be referred to the committee on the judiciary, and fifty extra copies be printed;

Which was agreed to.

Mr. Turner, by leave, introduced

No. 17, (C.) "A bill to amend an act, entitled 'an act to incorporate the Milwaukee and Waukesha rail road company;"

Which was read the first and second times.

Mr. Phelps, by leave, introduced

No. 18, (C.) "A bill to legalize certain acts of the supervisors of the town of Port Washington, for the year A. D. 1846;"

Which was read the first and second times.

The message of the house of representatives of yesterday was then taken up, and

No. 3, (H. of R.) "A bill to authorize the county of Waukesha to procure certain copies of records from the county of Milwaukee;" and

No. 5, (H. of R.) "A bill to amend an act, entitled 'an act relating to strays,' approved January 13, 1840."

Were severally read the first and second times.

Bill No. 1, (H. of R.) was then taken up and read the third time,

And the question having been put on the passage of the same,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling, Manahan, McCartney, Phelps, Turner, Whitesides, and Wells (President,)—10.

Those who voted in the negative, were

Messrs. Lovell, Palmer, and White,—3.

So the said bill passed and the title thereof was agreed to.

The rules having been suspended for that purpose,

The council resolved itself into committee of the whole, for the consideration of the general file of bills,

Mr. Holmes in the chair.

And after some time spent therein, the committee rose and by their chairman, reported back

No. 14, (C.) "A bill to authorize Elisha Morrow to build and maintain a dam across the Oconto river;"

No, 16, (C.) "A bill for the relief of Crawford county, relative to taxes;"

No. 11, (C.) "A bill relating to the village of Racine;" and

No. 3, (C.) "Memorial to the senate ot the United States, upon the subject of a treaty with the Menomonee tribe of Indians, for the lands north of Fox river;"

With amendments to each; and

No. 15, (C.) "A bill to legalize a territorial road from Racine to Burlington;"

Without amendment.

The amendments of the committee of the whole to bills Nos. 14, 16, and 11, (C.) and memorial No. 3, (C.) were severally concurred in, and

Bills Nos. 14 and 15, and memorial No. 3, (C.) were severally ordered to be engrossed and read a third time.

Mr. Darling moved that bill No. 16, (C.) be referred to the committee on the judiciary;

Which was agreed to.

Mr. Collins moved that bill No. 11, (C.) be referred to the committee on the judiciary;

Which was disagreed to.

Said bill was then ordered to be engrossed and read a third time.

The council then resolved itself into committee of the whole for the consideration of

Bills Nos. 3 and 5, (H. of R,)

Mr. Darling in the chair.

And after some time spent therein, the committee rose and by their chairman, reported

Bill No. 3, (H. of R.) without amendment, and

Bill No. 5, (H. of R.) with sundry amendments.

Mr. Lovell moved that bill No. 5, (H. of R.) be laid on the table;

Which was agreed to.

Bill No. 3, (H. of R.) was then ordered to be read the third time.

A message from the House of Representatives by their chief clerk.

"Mr. President:—The house of representatives have passed No. 4, (H. of R.) 'A bill to authorize school district No. 6, in the town of Summit, to levy a tax to build a school house;' In which the concurrence of the council is requested."

On motion of Mr. Holmes,

The council adjourned.

THURSDAY, February 17, 1848.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read.

Petitions, &c., were presented and referred as follows:

By Mr. McCartney:

A communication from one of the commissioners of Snake Hollow school town;

Which was referred to the committee on schools.

By Mr. Darling:

A petitton of 335 inhabitants of Winnebago county, praying to have the question of a re-location of the county seat submitted to a vote of the people;

Which was referred to the committee on county and town organization.

Mr. Palmer, from the committee on enrollment, reported as correctly enrolled,

"An act to dissolve the marriage contract between Sarah H. Roper and William Roper."

Mr. Lovell, from the committee on the judiciary, to which the same had been referred, reported back.

No. 13, (C.) "A bill concerning the conveyance of real estate,"

With amendments thereto.

Said bill was then read the second time.

Mr. Lovell, from the same committee, to which had been referred the petition of inhabitants of Linn, relative to certain roads, reported the same back without recommending that any action be had thereon.

Said report was accepted and the committee discharged from the further consideration of the subject.

Mr. Darling, from the committee on county and town organization, reported

No. 19, (C.) "A bill to annex a certain portion of the town of Sullivan, Jefferson county, to the town of Jefferson;"

Which was read the first and second times.

Mr. Darling, by leave, presented the petition of Edwin B. Tenney, asking to be divorced from his wife, Harriet A. Tenney;

Which was referred to the committee on the judiciary.

A message from the house of representatives by their chief clerk.

"Mr. President: The house of representatives have passed

No. 7, (H. of R.) 'A bill to authorize Mill school district, No. 11, in Lancaster school town, in Grant county, to levy a tax for building a school house;'

No. 8, (H. of R.) 'A bill to divorce Stewart McKee from his wife, Eliza McKee;'

No. 22, (H. of R.) 'A bill granting to A. L. Gregoire and George W. Jones the right to keep and maintain a ferry across the Mississippi river;' and

No. 6, (H. of R.) 'A bill to legalize a school tax in Phelps' school district No. 3, in Germantown, Washington county, and authorize said district to levy an additional tax to build a school house;'

In which the concurrence of the council is requested.

I am directed to present for your signature,

'An act to dissolve the marriage contract between Sarah Roper and William Roper,'

Which has been signed by the Speaker of the house of representatives'"

Said message was then taken up and

Bills Nos. 4, 6, 7, 8, and 22, (H. of R.)

Were severally read the first and second times.

Mr. Darling, by leave, introduced the following resolution, which was adopted, to wit:

"*Resolved*, That the committee on the judiciary be instructed to inquire into and report to the council, whether in their opinion, towns heretofore organized can elect their officers at the approaching town meeting, in April next, under the 5th section of article No. 14, of the constitution, should that be adopted by the people; and also that they inquire whether any legislation is necessary or can be had on that subject."

Notices for leave to introduce bills were given as follows:

By Mr. Darling:

A bill to amend the acts organizing the Franklin school, in Fond du Lac, and

A bill to amend the act incorporating the Sheboygan and Fond du Lac rail road company.

By Mr. White:

A bill to legalize a road in the town of Yorkville, Racine county.

No. 3, (H. of R.) "A bill to authorize the county of Waukesha to procure certain copies of records from the county of Milwaukee,"

Was taken up, read the third time, passed, and the title agreed to.

The council then resolved itself into committee of the whole for the consideration of

Bill No. 22, (H. of R.)

Mr. Palmer in the chair.

And after some time spent therein, the committee rose and by their chairman, reported the same back without amendment.

The rules having been suspended for that purpose,

Said bill was read the third time.

And the question being on the passage of the same,

Mr. Whitesides moved a call of the council.

And Mr. Darling reported absent.

The sergeant-at-arms was sent to procure the presence of the absentee.

And pending his report,

On motion of Mr. Collins,

All further proceedings under the call were dispensed with.

The question then recurred on the passage of the bill,

And having been put,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Collins, Holmes, Lovell, Manahan, McCartney, Palmer, Phelps, Turner, White, Whitesides, and Wells, (President,)—11.

Mr. Clark voting in the negative.

So the bill passed.

And the question being on agreeing to the title,

Mr. Clark moved to amend the same by inserting the word "exclusive;"

Which was disagreed to.

And the ayes and noes having been called for,

Mr. Clark voted in the affirmative.

And those voting in the negative, were

Messrs. Collins, Holmes, Lovell, Manahan, McCartney, Palmer, Phelps, Turner, White, Whitesides, and Wells, (President,)—11.

The title of the bill was then agreed to.

Mr. Manahan, from the committee on engrossment, reported as correctly engrossed

No 15, (C.) "A bill to legalize the territorial road from Racine to Burlington;" and

No. 11, (C.) "A bill relating to the village of Racine."

The rules having been first suspended for that purpose,

The council resolved itself into committee of the whole, for the consideration of the general file of (H. of R.) bills,

Mr. White in the chair.

And after some time spent therein, the committee rose and by their chairman reported

Bills Nos. 4, 7, and 8, (H. of R.)

Without amendment.

On motion of Mr. Lovell,

Bill No. 4, (H. of R.) was referred to the committee on the judiciary.

Bill No. 7, (H. of R.) was ordered to its third reading.

Bill No. 8, (H. of R.) was taken up, when

Mr. Palmer moved to amend the same by striking out all after the enacting clause.

And pending the question thereon,

On motion of Mr. Manahan,

Said bill was referred to a select committee of three, consisting of Messrs. Manahan, Collins, and Whitesides.

Mr. Palmer, from the committee on enrollment, made the following report, to wit:

The joint committee on enrolled bills, report that they did, on the 17th February, 1848, present to the governor for his approval, the following bill:

"An act to dissolve the marriage contract between Sarah H. Roper and William Roper."

Mr. White, by leave, introduced

No. 20, (C.) "A bill to legalize a road in Paris and Mount Pleasant, Racine county;"

Which was read the first and second times, and referred to the committee on roads.

A message from the Governor, by George P. Delaplaine, Esq., his private secretary:

"Mr. President: I am directed by the Governer to inform you that he has this day approved, signed, and deposited in the office of the secretary of the territory,

'An act to dissolve the marriage contract between Sarah H. Roper and William Roper.'

On motion of Mr. Whitesides,

The council adjourned.

FRIDAY, February 18, 1848.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read.

Petitions, &c., were presented and referred, as follows, to wit:

By the President:

The annual report of the Superintendent of public property.

Mr. Holmes moved that said report be printed, and referred to the committee on territorial expenditures;

Which was agreed to.

By Mr. Lovell;

A petition of the inhabitants of the village of Southport, praying for an amendment to the act incorporating said village;

Which was referred to the committee on incorporations.

By Mr. White:

A petition from the citizens and tax payers of the village of Racine, asking that the charter of said village be amended;

Which was referred to the committee on incorporations.

By Mr. Darling:

A petition of the inhabitants of Fond du Lac and Winnebago counties, for the location of a territorial road from Waupon to Plover Portage, by the way of Waukon. Also,

A petition of 63 inhabitants of the county of Fond du Lac, praying for the location of a territorial road from Fond du Lac via. Ceresco to Plover Portage; and

A petition of the inhabitants of Calumet county, for the location of a territorial road from Manchester to Sheboygan;

Which were severally referred to the committee on roads.

Also, a remonstrance of a public meeting held in the town of Calumet, against the annexation of said town to the county of Calumet;

Which was referred to the committee on county and township organization.

By the President:

A petition of sundry inhabitants of the territory of Wisconsin, asking for a charter for a plank road from Milwaukee to Rock river by the way of Troy;

Which was referred to the committee on roads.

Notices for leave to introduce bills, were given as follows:

By Mr. Palmer:

A bill for the relief of the town of Turtle in Rock county.

By Mr. Clark:

A bill to divorce Acsah Case from her husband Isaac R. Case.

By Mr. White:

A bill for amending the charter of Racine.

By Mr. Turner:

A bill for the construction of a dam across Fox river.

Mr. Manahan, by leave, introduced

No. 21, (C.) "A bill to provide for the payments of the heirs of the late Thomas Burrett, deceased, for reporting the decisions of the supreme court of the territory of Wisconsin;"

Which was read the first and second time.

Mr. Lovell, from the committee on the judiciary, to whom the same had been referred, reported back

No. 8, (C.) "A bill to compel the determination of claims to real property;"

With a recommendation that the same do pass.

Mr. Palmer, from the committee on enrollment, made the following report, to wit:

The joint committee on enrolled bills, have instructed me to report as correctly enrolled

"An act to authorize the county of Waukesha to procure certain records from the county of Milwaukee;"

"An act granting to A. L. Gregoire and George W. Jones, the right to keep and maintain a ferry across the Mississippi river."

Mr. Collins, from the committee on the judiciary, made the following report, to wit:

The committee on the judiciary to whom was referred the petition of Daniel Hiler for a divorce from his wife Sarah Hiler

REPORT:

That they have given the subject examination, and a majority of said committee recommend that the petition be granted, and for that purpose beg leave to report by bill, which is herewith submitted.

A. L. COLLINS,
J. E. HOLMES.

And also reported

No. 22, (C.) "A bill to dissolve the marriage contract between Daniel Hiler and Sarah Hiler;"

Which was read the first and second times.

Mr. Collins, from the same committee, made the following report, to wit:

The committee on the judiciary to whom was referred the petition of Edwin B. Tenney

REPORT:

That they have given the petition due consideration, and recommend no action on the subject, that the petitioner have leave to withdraw his petition.

A. L. COLLINS.

And also reported back the petition of the Supervisors of Dane county, recommending that the petitioners have leave to withdraw the same to be amended.

Said report was adopted.

Mr. Manahan, from the committee on engrossment, reported as correctly engrossed

No. 3, (C.) "Memorial to the senate of the United States, upon the subject of a treaty with the Menomonee tribe of Indians, for the lands north of Fox river."

Mr. Holmes, from the select committee to whom that subject had been referred, reported

No. 23, (C.) "A bill for the relief of Henry W. Johnston;"

Which was read the first and second times.

Mr. Manahan, from the select committee, to whom had been referred

No. 8, (H. of R.) "A bill to divorce Stewart McKee from his wife Eliza McKee;"

Made the following report, to wit:

The select committee to whom was referred bill No. 8, (H. of R.) with the accompanying documents, respectfully beg leave to

REPORT:

That they have had the same under consideration, and having investigated the claims of the petitioner, and have carefully examined all the testimony offered in relation to the case by the parties interested, and a majority of the committee would now recommend the above bill "to the favorable consideration of the council," and ask to be discharged from the further consideration of the subject.

Very respectfully,

B. F. MANAHAN,
Chairman of Select Com.

Said report was accepted, and the committee discharged from the further consideration of the subject.

No. 11, (C.) "A bill relating to the village of Racine;"

Was then read the third time, passed, and the title thereof agreed to.

No. 15, (C.) "A bill to legalize the territorial road from Racine to Burlington;"

Was read a third time.

And the question having been put on the passage of the same,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Darling, Lovell, Manahan, McCartney, Palmer, Phelps, Turner, White, Whitesides and Wells, (President,) —11.

Those who voted in the negative, were

Messrs. Collins and Holmes,—2.

The title of the bill was then agreed to.

No. 3, (C.) "A memorial to the senate of the United States upon the subject of a treaty with the Menomonee tribe of Indians for the lands north of Fox river;"

No. 7, (H. of R.) "A bill to authorize Mill School district,

number eleven in Lancaster school town, in Grant county to levy a tax for building a school house ;"

Were severally read the third time, passed, and the title thereof agreed to.

The council resolved itself into committee of the whole, for the consideration of

No. 4, (C.) "A bill to incorporate the Racine and Rock river plank road company;"

Mr. Holmes in the chair.

And after some time spent therein, the committee rose, and by their chairman reported the same back to the council with amendments.

The amendments to said bill were then concurred in, and said bill ordered to be engrossed and read a third time.

A message from the house of representatives by their chief clerk.

"Mr. President:—The house of representatives have passed

No. 1, (C.) 'A bill relating to an alley in the village of Southport;' also

No. 9, (H. of R.) 'A bill to authorize the construction of a dam across Rock river:'

No. 13, (H. of R.) 'A bill granting to Thomas Noyes and Nathan H. Strong the right to keep and maintain a ferry across Fox river at Strong's landing, in the county of Marquette;'

No. 17, (H. of R.) 'A bill to dissolve the marriage contract between Orman Crandall and Angeline Crandall;'

No. 20, (H. of R.) 'A bill for an act authorizing F. William Allerding, his associates or assigns, to build a dam across the Milwaukee river;' and

No. 33, (H. of R.) 'A bill providing compensation to the agent of the territory for locating the University land;'

In which the concurrence of the council is requested."

Mr. Holmes moved that the message of the house of representatives be taken up;

Which was agreed to, and

Bills Nos. 9, 33, 20, 13 and 17, (H. of R.) were severally read the first and second times.

The council resolved itself into committee of the whole, for the consideration of

No. 33, (H. of R.) "A bill providing compensation to the agent of the territory for locating university lands;"

Mr. Clark in the chair.

And after some time spent therein, the committee rose, and by their chairman reported the same back to the council without amendment.

Said bill was ordered to be read the third time.

And the rules having been suspended for that purpose,

Said bill was read the third time, passed, and the title agreed to.

The council then resolved itself into committee of the whole, for the consideration of the general file of bills,

Mr. Collins in the chair.

And after some time spent therein, the committee rose, and by their chairman reported

Bills Nos, 16. 9, 13 and 17, (H. of R.) and 19, (C.) back without amendment, and

Bill No. 20, (H. of R.) and Nos. 17 and 18, (C.) with amendments, and

Asked leave to sit again on the general file of bills.

Leave was granted.

The amendments of the committee of the whole to bill No. 18, (C.) were then concurred in, and

Said bill was ordered to be engrossed, and read a third time.

The amendments of the committee of the whole to bill No. 20, (H. of R.) were then concurred in, and

Said bill ordered to be read the third time.

And the rules having been first suspended for that purpose,

Said bill was read the third time, passed, and the title thereof agreed to.

Mr. Lovell moved that bill No. 17, (H. of R.) be referred to the committee on internal improvements;

Which was agreed to.

Bills Nos. 17 and 19, (C.) were severally ordered to be engrossed and read a third time.

Bill No. 9, (H. of R.) was then taken up, when

Mr. Holmes moved to amend the same by adding to the second section:

"And the proprietors of said dam shall maintain said lock, and shall attend the passage of all boats, barges and water craft, through said lock, free of all charge to the owners thereof;"

Which was agreed to.

Said bill was then ordered to a third reading.

And the rules having been first suspended for that purpose,

Said bill was read the third time, passed, and the title thereof agreed to.

Bills Nos. 6 and 13, (H. of R.) were then ordered to their third reading.

And the rules having been first suspended for that purpose,

Said bills were read the third time, passed, and the titles thereof agreed to.

No. 8, (H. of R.) "A bill to divorce Stewart McKee from his wife Eliza McKee,"

Was then read the third time.

And the question having been put on the passage of the same,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Darling, Holmes, Manahan, McCartney, Phelps, Whitesides and Wells, (President,)—8.

Those who voted in the negative were,

Messrs. Collins, Lovell, Palmer, and White,—4.

So the bill passed, and the title thereof was agreed to.

On motion of Mr. Holmes,

The council adjourned.

Saturday, February 19, 1848.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read.

Petitions &c. were presented and referred, as follows:

By Mr. Lovell:

The account of Messrs. Bunner and Stafford against the territory;

Which was referred to the committee on territorial expenditures.

By Mr. Manahan:

The account of David Lambert against the territory;

Which was referred to the committee on territorial expenditures.

By Mr. Collins:

A petition of the inhabitants of Sun Prairie for a division of said town;

Which was referred to the committee on county and township organization; also,

A petition of the inhabitants of the country near the Lemonware river, to be attached to Sauk county, for judicial purposes; also,

A memorial of the county commissioners of Sauk county;

Which were severally referred to a select committee, consisting of Messrs. Collins, Manahan, and Turner.

By Mr. White:

A remonstrance against changing the name of the town of Raymond to Whitestown;

Which was referred to the committee on county and township organization.

Mr. Holmes gave notice that he should, on some future day, ask leave to introduce

A bill amendatory of the act to authorise the future sale of canal lands, and for other purposes, approved A. D. 1845.

Mr. Manahan, from the committee on engrossment, reported as correctly engrossed:

No. 19, (C.) "A bill to annex a certain portion of the town of Sullivan, Jefferson county, to the town of Jefferson;"

No. 18, (C.) "A bill to legalize certain acts of the supervisors of the town of Port Washington for the year A. D. 1846;"

No. 17, (C.) "A bill to amend an act entitled 'an act to incorporate the Milwaukee and Waukesha rail road company;'"

No. 14, (C.) "A bill to authorise Elisha Morrow to build and maintain a dam across the Oconto river;" and

No. 4, (C.) "A bill to incorporate the Racine and Rock river plank road company."

Mr. Darling, from the committee on enrolment, made the following report, to wit:

The joint committee on enrolled bills have instructed me to report as correctly enrolled:

"An act to provide compensation to the agent of the territory for locating the university lands."

Mr. Palmer, from the committee on enrollment, made the following report, to wit:

The joint committee on enrolled bills have instructed me to report as correctly enrolled:

"An act relating to an alley in the village of Southport."

Bills Nos. 14, 17, 18, 19, and 4, (C.)

Were severally read the third time, passed, and the titles thereof agreed to.

The council then resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Collins in the chair;

And after some time spent therein the committee rose, and by their chairman reported:

No. 13, (C.) "A bill concerning the conveyance of real estate,"

With amendments.

The amendments to said bill were then concurred in, and said bill ordered to be engrossed and read the third time;

And also reported progress on the general file of bills, and asked leave to sit again.

Leave was granted.

On motion of Mr. Darling,

The council adjourned until half-past two o'clock, P. M.

HALF-PAST TWO OCLOCK, P. M.

Mr. Lovell moved to take from the table,

No. 5, (H. of R.) "A bill to amend an act entitled 'an act relating to strays,' approved January 13, 1840;"

Which was agreed to.

Mr. Lovell moved that said bill be referred to the committee on agriculture;

Which was agreed to.

The rules having first been suspended for that purpose,

The council resolved itself into committee of the whole, for the consideration of the general file of bills,

Mr. Darling in the chair.

And after some time spent therein, the committee rose and by their chairman reported

Bills Nos. 22 and 23, (C.) without amendment, and

No. 21, (C.) with an amendment.

The amendment of the committee to said bill was then concurred in, and

Bills Nos. 21 and 23 were severally ordered to be engrossed and read the third time.

And the question having been put on ordering to be engrossed,

No. 22, (C.) "A bill to dissolve the marriage contract between Daniel Hiler and Sarah Hiler,"

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling, Holmes, Manahan, McCartney, Phelps, Whitesides, and Wells, (President,)— 9.

Those who voted in the negative, were

Messrs. Lovell, Palmer, Turner, and White,—4.

Mr. Palmer, from the committee on enrollment, made the following report, to wit:

The joint committee on enrolled bills, have instructed me to report as correctly enrolled,

"An act granting to Thomas Noyes and Nathan H. Strong the right to keep and maintain a ferry across the Fox river at Strong's landing, in the county of Marquette;"

"An act to divorce Stewart McKee from his wife, Eliza McKee;"

"An act to legalize a school tax in Phelps' school district No. 3, in Germantown, Washington county, and to authorise said district to levy an additional tax to build a school house;"

"An act to authorise F. William Allerding, his associates or assigns, to build a dam across the Milwaukee river."

A message from the house of representatives, by their chief clerk:

"Mr. President:—The house of representatives have concurred in the amendments of the council to

No. 9, (H. of R.) 'A bill to authorise the construction of a dam across Rock river;' and

No. 20, (H. of R.) "A bill for an act authorising F. William Allerding, his associates or assigns, to build a dam across the Milwaukee river.'

And have passed.

No. 18, (H. of R.) 'A bill to dissolve the marriage contract between Samuel Burdick and Ellen Burdick;'

In which the concurrence of this house is requested.

I am directed to present for your signature,

'An act relating to an alley in the village of Southport;'

'An act to authorise the county of Waukesha to procure certain records from the county of Milwaukee;'

'An act granting to A. L. Gregoire and George W. Jones the right to keep and maintain a ferry across the Mississippi river;' and

'An act awarding compensation to the agent of the territory for locating the university lands;'

Which have been signed by the speaker of the house of representatives."

On motion of Mr. Lovell,

The council adjourned.

Monday, February 21, 1848.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was road.

Petitions, &c., were presented and referred as follows:

By Mr. Darling:

A petition of 50 inhabitants of the town of Winnebago, praying for the removal of the county seat of said county. Also,

A remonstrance of 23 inhabitants of Winnebago county, against the removal of the county seat of said county. Also,

A petition of 50 inhabitants of the towns of Winnebago and Neenah, to be organized into a separate town by the name of Winnekon. Also,

A remonstrance of 61 inhabitants of the town of Metomon, against a change of the name of said town. Also,

A petition of 61 inhabitants of the town of Brighton, Winnebago county, praying for the removal of the county seat of said county, and,

A petition to organize town 16, range 16, into a separate town, said town to be named El Dorado;

Which were severally referred to the committee on county and township organization. Also,

A petition of Edward West of Winnebago county, praying that a memorial to congress may be passed, asking a remuneration of the excess over government price, paid by certain citizens of the territory, for lands upon the canal reserve;

Which was referred to the committee on the judiciary. Also,

A remonstrance of 474 inhabitants of Winnebago county, against the removal of the county seat of said county ;

Which was referred to the committee on county and township organization.

Mr Darling, from the committee on enrollment, made the following report, to wit :

" The committee on enrolled bills report that they did, on this day, present to his excellency, the governor, for his approval :

' An act providing compensation to the agent of the territory for locating the university lands.' Also,

' An act relating to an alley in the village of Southport,' Also,

' An act granting to A. L. Gregoire and George W. Jones, the right to keep and maintain a ferry across the Mississippi river.' Also,

' An act to authorize the county of Waukesha to procure certain records from the county of Milwaukee ' Also,

No. 9, (H. of R.) ' A bill to authorize the construction of a dam across Rock river,'

As correctly enrossed."

Mr. Manahan, from the committee on engrossment, reported as correctly engrossed

No. 13, (C.) " A bill concerning the conveyance of real estate ;"

No. 21, (C.) " A bill to provide for the payment of the heirs of the late Thomas Burnett, deceased, for reporting the decisions of the supreme court of the territory of Wisconsin."

No. 22, (C,) " A bill to dissolve the marriage contract between Daniel Hiler and Sarah Hiler ;" and

No. 23, (C.) " A bill for the relief of Henry W. Johnston."

Mr. White gave notice that he should on some future day ask leave to introduce

A bill to authorize the governor to appoint commissioners in other states, &c., to take the acknowledgment of deeds, &c., to be read in evidence in Wisconsin.

Mr. Palmer, by leave introduced the following resolution, to wit :

" *Resolved*, (the house concurring,) That the present session

of the legislative assembly shall terminate on Saturday the 4th day of March next" Also,

"*Resolved*, (the house concurring,) That after Tuesday the 29th day of February inst. no new bills, joint resolutions, or memorials be introduced into either house,"

Which was read the first and second times.

Mr. White, by leave introduced,

A petition from the citizens of Racine asking for a road;

Which was placed on file.

And also reported

No. 24, (C.) "A bill to legalize a road in the town of Yorkville;"

Which was read the first and second times.

Mr. Palmer, by leave, introduced

No. 25, (C.) "A bill for the relief of town of Turtle, in Rock county;"

Which was read the first and second times.

A message from the house of representatives by their chief clerk.

"Mr. President: The house of representatives have passed

No. 14, (H. of R.) 'A bill to make the official certificate of any register and receiver of any land office of the United States, in this territory evidence, in certain cases.'

In which the concurrence of the council is requested.

I am directed to present for your signature,

'An act to legalize a school tax in Phelps school district No. 3, in Germantown, Washington county, and authorize said district to levy an additional tax to build a school house.'

'An act to divorce Stewart McKee from his wife, Eliza McKee.'

'An act to authorize the construction of a dam across Rock river.'

'An act granting to Thomas Noyes and Nathan H. Strong the right to keep and maintain a ferry across the Fox river at Strong's landing, in the county of Marquette.'

'An act to authorize F. William Allerding, his associates or assigns, to build a dam across the Milwaukee river.'

Which has been signed by the Speaker of the house of representatives"

The message of the house of representatives was then taken up, and

No. 14. (H. of R.) "A bill to make the official certificate of any register and receiver of any land office of the United States, in this territory, evidence in certain cases," and

"No, 18, (H. of R.) "A bill to dissolve the marriage contract between Samuel Burdick and Ellen Burdick;"

Were severally read the first and second times.

Mr. Darling in the chair.

No. 13, (C.) "A bill concerning the conveyance of real estate,"

Was read the third time, when

Mr. Wells moved that the further consideration of the bill be postponed until the second Monday in June next.

And the question having been put,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, McCartney, White, Whitesides, and Wells, (President,)—5.

Those who voted in the negative were,

Messrs. Collins, Darling, Holmes, Lovell, Manahan, Palmer, Phelps, and Turner,—8.

The question was then put on the passage of said bill,

And was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Darling, Holmes, Lovell, Manahan, Palmer, Phelps, and Turner,—7.

Those who voted in the negative, were

Messrs. Clark Collins, McCartney, White, Whitesides, and Wells, (President,)—6.

So said bill passed and the title thereof was agreed to.

A message from the House of Representatives by their chief clerk.

"Mr. President:—The house of representatives have passed

No. 19, (H. of R.) "A bill to incorporate the Beaver Dam Cemetary Association."

In which the concurrence of the council is requested."

On motion of Mr. Holmes,

The council adjourned until three o'clock, P. M.

THREE O'CLOCK, P. M.

No. 23, (C.) "A bill for the relief of Henry W. Johnston,"

Was taken up and read the third time;

And the question having been put on the passage of the same,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Darling, Holmes, Manahan, McCartney, Phelps, Turner, Whitesides, and Wells, (President,)—9.

Those who voted in the negative, were

Messrs. Collins, Palmer, and White,—3.

So the said bill passed and the title thereof was agreed to.

No. 22, (C.) "A bill to dissolve the marriage contract between Daniel Hiler and Sarah Hiler,"

Was read the third time:

And the question having been put on the passage of the same,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling, Holmes, Manahan, McCartney, Phelps, Turner, Whitesides, and Wells, (President,)—10.

Those who voted in the negative, were

Messrs. Lovell, Palmer, and White,—3.

So the bill passed and the title thereof was agreed to.

No. 21. (C.) "A bill to provide for the payment of the heirs of the late Thomas P. Burnett, deceased, for reporting the decisions of the supreme court of the territory of Wisconsin,"

Was read the third time, passed, and the title thereof was agreed to.

Mr. Lovell, from the majority of the committee on the judiciary, to whom the same had been referred, reported

No. 5, (C.) "A bill to define the boundary line between the counties of Marquette and Fond du Lac,"

With a recommendation that the same be rejected.

Said report was then adopted.

Mr. Lovell, from the same committee, reported back

No. 9, (C.) "A bill to define the boundaries of the county of Fond du Lac and the jurisdiction of counties to Lake Winnebago; also to legalize the acts of said county as to certain towns therein organized,"

With amendments thereto.

Said bill was then read the second time.

The council then resolved itself into a committee of the whole for the further consideration of

No. 8, (C.) "A bill to compel the determination of claims to real property;"

Mr. Whitesides in the chair.

And after some time spent therein, the committee rose and by their chairman reported the same back with amendments.

The said amendments were then concurred in, and said bill ordered to be engrossed and read the third time.

On motion of Mr. Holmes,

The council adjourned.

TUESDAY, February 22, 1848.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read.

Mr. Darling, from the committee on enrollment, made the following report, to wit:

The committee on enrolled bills, report that they did on yesterday present to his excellency, the Governor, for his approval,

An act to legalize a school tax in Phelp's school district No. 3, in Germantown, Washington county, and authorize said district to levy an additional tax to build a school house." Also,

"An act to authorize the construction of a dam across Rock river." Also,

"An act to divorce Stewart McKee from his wife Eliza McKee." Also,

"An act authorizing F. William Allerding, his associates or assigns, to build a dam across the Milwaukee river;" and

"An act granting to Thomas Noyes and Nathan H. Strong the right to keep a ferry across Fox river, at Strong's Landing, in the county of Marquette;"

As correctly enrolled.

Petitions, &c., were presented and referred as follows, to wit:

By Mr. Collins:

A petition of 50 lumbermen and others, for a special law in relation to mill dams on the Wisconsin river; also,

A petition of 36 inhabitants of Portage county, on the Wisconsin river, for a law authorizing a tax on lumber and shinlges floating on said river, to remove obstructions in the same;

Which were severally referred to the committee on the judiciary.

Also, a petition of Chester Matson, for a right to keep and maintain a ferry across the Wisconsin river on lot No. 1, section 2, town 10, range 7, in Sauk county;

Which was referred to the committee on territorial roads.—Also,

A petition of Ebenezer Brigham and 23 others, of towns six and seven, range six east, to be organized into a town by the name of Blue Mounds;

Which was referred to the committee on county and town organization. Also,

A petition of J. S. Porter, and 52 others, against any changing or altering the territorial road from Madison to Monroe, via. Exeter;

Which was referred to the committee on territorial roads.

Mr. White, by leave introduced

No. 26, (C.) "A bill to authorize the Governor to appoint commissioners to take acknowledgement of deeds;"

Which was read the first and second times.

Mr. Phelps gave notice that he should on some future day ask leave to introduce

A bill to authorize Barton Salisbury to build and maintain a dam across the Milwaukee river."

Mr. Turner presented the account of C. C. Olin, in the county of Waukesha, for publishing the constitution of the State of Wisconsin;

Which was referred to the committee on territorial expenditures.

Mr. Palmer gave notice that he should on some future day, ask leave to introduce

A bill to incorporate the Janesville cemetery association."

Mr. Turner, by leave introduced,

No. 27, (C.) "A bill to authorize the construction of a dam across Fox river, and for other purposes;"

Which was read the first and second times.

Mr. Whitesides introduced the following resolution, which was adopted, to wit:

"*Resolved*, (the council concurring) that the council and house do adjourn for the purpose of paying due respect to the memory of the immortal George Washington."

Mr. Collins, by leave, introduced the following resolution, to wit:

"*Resolved*, That the reporter for the Argus in the council be requested to correct, in a public manner, the reported speech of Mr. White, a councillor from Racine on the bill for the divorce of Sarah H. Roper, from her husband, reported in the Tri-Weekly Argus of the 17th inst., wherein the following remarks are reported to have been made in council by the said councillor from Racine:

"And as long as this system of legislation is countenanced, we cannot expect otherwise than that every restive couple to whom the *noose* matrimonial may become a little chafing, will fly to our halls for "relief." The consequence will then be inevitable, that nearly every member will be plied with applications of this kind; and as all representatives are desirous of signali-

zing their public course by a show, at least, of devotion to the will of their constituents, each one will very naturally become interested in the success of the particular application he may have in charge, and will feel bound to use such means and appliances as may be within his reach to secure that success. Well, sir, every legislator, however verdant he may be at the commencement of the session, very soon learns the readiest mode of conciliating support for the measures he may be desirous of carrying—and he has this resource when all others fail—that is to compound with his fellow members similarly situated with himself—and they agree to go it blind for one another's measures in all emergencies. And thus, by this system of *log rolling*, bills are passed that are an outrage upon the moral sense of the community.

Now, Mr. President, I would put the question to any dispassionate member of the council, with a divorce application in his pocket which he might be desirous to put through, and the success of which would depend upon the support he would give to similar applications in charge of other members with whom he might have an understanding, whether he could go into the investigation of these cases with an unbiased mind and unshackled hands? No, sir, he couldn't—it would be more than we should have a right to expect from the frailty of man's nature. He would have too much at stake in the issue to be a disinterested judge in the matters before him, and he *could* not if he would, decide impartially in such cases.

It would, therefore, be a mockery of justice for him to sit in judgment, under such circumstances, in an issue of this kind; for he would be incompetent as a witness in a court of law, much more as a *judge* in the matter! Legislation procured under such influences, Mr. President, I view as most pernicious in its tendency, and deplorably demoralizing in its effects upon a community where *perpetrated*."

Mr. Turner moved to postpone the consideration of said resolution until to-morrow;

Which was agreed to,

Mr. Lovell, from the committee on the judiciary, to whom the same had been referred, reported

No. 4, (H. of R.) "A bill to authorize school district No. 6, in the town of Summit, to levy a tax to pay the expenses of building a school house,"

With a recommendation that said bill do pass.

Also, a memorial to congress asking a remuneration of the excess over government price paid by certain citizens of the territory for lands upon the canal reserve,

With a recommendation that no action be taken upon said memorial.

Mr. Darling moved that so much of said report as refers to the memorial, be laid on the table;

Which was agreed to.

Mr. Manahan, from the committee on engrossment, reported as correctly engrossed,

No. 8, (C.) "A bill to compel the determination of claims to real property."

The message from the house of representatives was then taken up, and

No. 19, (H. of R.) "A bill to incorporate the Beaver Dam Cemetery Association,"

Was read the first and second times.

Mr. Darling moved that said bill be referred to the committee on the judiciary;

Which was agreed to.

No. 8, (C.) "A bill to compel the determination of claims to real property."

Was read the third time,

And the question having been put on the passage of the same,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling, Lovell, Manahan, McCartney, Palmer, Phelps, Turner, and White,—10.

Those who voted in the negative, were

Messrs. Whitesides, and Wells (President,)—2.

So the said bill passed and the title thereof was agreed to.

The president gave notice that on some future day he should ask leave to introduce

"A bill to amend an act entitled 'an act to incorporate the Milwaukee Mutual Fire Insurance Company.'"

A message from the house of representatives by their chief clerk.

"Mr. President:—The house of representatives have passed a resolution of the council as follows:

'*Resolved*, (the house concurring,) That the council and house do adjourn for the purpose of paying due respect to the memory of the immortal George Washington;'

With an amendment, in which the concurrence of the council is requested.

Amend the resolution by adding thereto as follows: 'And also to the patriots who fought in defence of their country at the memorable battle of Buena Vista.'"

The amendment of the house to said resolution was then concurred in.

So the council adjourned

Wednesday, February 23, 1848.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read.

Petitions, &c. were presented and referred as follows, to wit:

By Mr. Clark:

A remonstrance of William Hollinshead and 32 others, citizens of Walworth county, against any alteration in said county lines;

Which was referred to the committee on town and county organization. Also,

A petition of John Curtis for a divorce;

Which was referred to a select committee consisting of Messrs. Clark, Collins and Holmes.

By Mr. Lovell:

A remonstrance of John Bullen, Jr., and other inhabitants of the village of Southport, against enlarging the corporate limits of said village;

Which was referred to the committee on corporations.

By Mr. Palmer:

A remonstrance of S. F. Chipman and 99 other inhabitants of Rock county, against a certain division of the town of Centre, in said county.

By Mr. Darling:

A petition of the inhabitants of town 19, ranges Nos. 16 and 17, in Winnebago county, to be organized into a separate town by the name of Vinland, and remonstrating against any division of those townships as surveyed by government. Also,

A petition of 42 inhabitants of the town of Butte des Morts, for a change of the name of said town to Nelson;

Which were severally referred to the committee on county and township organization.

Agreeably to previous notice and by leave, the following bills were introduced, to wit:

By Mr. White:

No. 28, (C.) "A bill to amend the charter of the village of Racine;

Which was read the first and second times.

By Mr. Palmer:

No. 29, (C.) "A bill to incorporate the Janesville cemetery association;"

Which was read the first and second times and the printing dispensed with, and

Said bill was referred to the committee on the judiciary.

By Mr. Phelps:

No. 30, (C.) "A bill to authorize Barton Salisbury to build and maintain a dam across the Milwaukee river;"

Which was read the first and second times.

By Mr. Palmer, from the committee on incorporations:

No. 31, (C.) "A bill to incorporate the Southport and Beloit road company;"

Which was read the first and second times.

A message from the Governor by George P. Delaplaine, esq., his private secretary:

"Mr. President:—I am directed by the Governor to inform you that he did on the 21st inst., approve, sign, and deposite in the office of the secretary of the territory,

'An act relating to an alley in the village of Southport."

The rules having been supended for that purpose,

The council then resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Palmer in the chair.

And after some time spent therein,

The committee rose and by their chairman reported bills

No. 24, (C.) "A bill to legalize a road in the town of Yorkville;" also,

No. 25, (C.) "A bill for the relief of the town of Turtle, in Rock county; also,

No. 26, (C.) "A bill to authorize the Governor to appoint commissioners to take the acknowledgement of deeds;" also,

No. 18, (H. of R.) "A bill to dissolve the marriage contract between Samuel Burdick and Ellen Burdick;" also,

No 14, (H. of R.) "A bill to make the official certificates of any register or receiver of any land office of the United States, in this territory, evidence in certain cases;"

Withont amendment; also, bills

No. 27, (C.) "A bill to authorize the construction of a dam across Fox river and for other purposes;

No. 9, (C.) "A bill to define the boundaries of the county of Fond du Lac, and the jurisdiction of counties to Lake Winnebago; also to legalize the acts of said county as to certain towns therein organized;"

With sundry amendments thereto.

The amendments of the committee of the whole to said bills were then severally concurred in.

On motion of Mr. Whitesides,

Bill No. 18, (H. of R.)

Was referred to a select committee, consisting of Messrs. Whitesides, Manahan, and McCartney.

Bill No. 14, (H. of R.) was then ordered to be read the third time.

Bill No. 26, (C.) was then taken up,

And the question having been put on ordering the same to be engrossed and read a third time,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, White, and Wells, (President,)—3.

Those who voted in the negative, were

Messrs. Collins, Darling, Holmes, Lovell, Manahan, McCartney, Palmer, Phelps, Turner, and Whitesides,—10.

On motion of Mr. Lovell,

Bills Nos. 25 and 24, (C.) were referred to the committee on the judiciary.

Bills Nos. 9 and 27, (C.) were severally ordered to be engrossed and read the third time.

On motion of Mr. Darling,

Bill No. 5, (C.) was then taken up.

And the question having been put on ordering said bill to be engrossed,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, and Wells, (President,)—3.

Those who voted in the negative, were

Messrs. Darling, Holmes, Lovell, Manahan, McCartney, Palmer, Phelps, Turner, White, and Whitesides,—10.

So the bill was rejected.

A message from the house of representatives, by their chief clerk:

"Mr. President:—The house of representatives have passed,

No. 10, (H. of R.) 'A bill to divorce John H. Hayes from his wife, Mary J. Hayes;'

No. 11, (H. of R.) 'A bill to divorce Reuben Hurlbut from his wife, Hannah Hurlbut;'

No. 12, (H. of R.) 'A bill to divorce Elizabeth Reynolds from her husband, Adney B. Reynolds;'

No. 21, (H. of R.) 'A bill in relation to school district No. 10, in the towns of Waukesha and Pewaukee;'

No. 3, (H. of H.) 'Memorial to congress on the subject of an appropriation for a light house at Port Washington, and for a survey of its harbor;'

No. 24, (H. of R.) 'A bill to divorce Mildred Jarrett from her husband, John Jarrett;'

No. 26, (H. of R.) 'A bill to divorce John Dawson from his wife, Sarah Dawson;'

No. 28, (H. of R.) 'A bill to provide for levying a tax on Jefferson school district in the town of Grafton, for building a school house, and district No. 1, in the town of Elkhorn, for the same purpose;'

No. 29, (H. of R.) 'A bill to provide for laying out a territorial road from Beloit, in the county of Rock, to White Oak Springs, in the county of La Fayette;' and

No. 32, (H. of R.) 'An act to change the name of Christian W. Swartz;'

In each of which the concurrence of the council is requested.

The Governor has notified the house of representatives that he did, on the 21st instant, approve, sign, and deposite in the office of the secretary of the territory,

'An act granting to Thomas Noyes and Nathan H. Strong the right to keep a ferry across Fox river, at Strong's landing, in the county of Marquette;'

'An act authorising F. William Allerding, his associates or assigns, to build a dam across the Milwaukee river;'

'An act to divorce Stewart McKee from his wife, Eliza McKee;'

'An act to authorise the construction of a dam across Rock river;'

'An act to legalize a school tax in Phelps' school district, No. 3, in Germantown, Washington county, and authorise said district to levy an additional tax to build a school house;'

"An act providing compensation to the agent of the territory for locating university lands;"

"An act to authorize the county of Waukesha to procure certain records from the county of Milwaukee;" and

"An act granting to A. L. Gregoire and George W. Jones,

the right to keep and maintain a ferry across the Mississippi river."

The resolution introduced yesterday by Mr. Collins, relative to the reported speech of Mr. White, was taken up, when

On motion of Mr. Lovell,

The council took a recess until three o'clock, P. M.

THREE O'CLOCK P. M.

Mr. Collins' resolution was then taken up, when

Mr. Lovell moved to lay said resolution on the table;

Which was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Lovell, and Wells, (President,)—2.

Those who voted in the negative were,

Messrs. Clark, Collins, Darling, Holmes, Manahan, McCartney, Palmer, Phelps, Turner, and Whitesides,—10.

And the question having been put on the adoption of the resolution,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Collins, Darling, Holmes, Lovell, Manahan, McCartney, Palmer, Phelps, Turner, Whitesides and Wells, (President,)—12.

None voting in the negative.

The message of the house of representatives was then taken up, and

Bills Nos. 10, 11, 12, 21, 24, 26, 28, 29, 32, and No. 3, memorial, (H. of R.) were severally read the first and second times.

Mr. Turner moved that

Bills Nos. 10, 11 and 12, (H. of R.) be referred to a select committee;

Which was agreed to.

The president announced the appointment of the following committee to whom said bills were referred, to wit: Messrs. Turner, Holmes and Whitesides.

On motion of Mr. Clark,

Bill No. 21, (H. of R) was referred to the committee on the judiciary.

On motion of Mr. Lovell,

Bills Nos. 24 and 26, (H. of R.) were referred to the committee on territorial affairs.

The council resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Clark in the chair.

And after some time spent therein the committee rose and by their chairman, reported

No. 4, (H. of R.) "A bill to authorize school district No. 6, in the town of Summit, to levy a tax to pay the expenses of building a school house," and

No. 10, (C.) "A bill to change the boundaries of the town of Lawrence in the county of Brown,"

Without amendment, and

Joint resolution relative to the adjournment of the present session of the legislative assembly,"

With amendments.

Bill No. 4, (H. of R.) was then ordered to be read the third time.

Bill No. 10, (C.) was then ordered to be engrossed and read a third time.

The amendments of the committee to joint resolution relative to adjournment were then concurred in.

Mr. Lovell moved to amend the second resolution by striking out Tuesday the 29th, and insert in lieu thereof the words, "Thursday the 2d of March next;"

Which was agreed to.

Mr. Lovell moved that the further consideration of said resolution be postponed until Saturday next.

And the question having been put,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Darling, Lovell, McCartney, and Turner, —5.

Those who voted in the negative were,

Messrs. Collins, Holmes, Manahan, Palmer, Phelps, White, Whitesides, and Wells, (President,)—8.

The question was then put on ordering said resolution to be engrossed and read a third time.

And was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Darling, Holmes, Manahan, McCartney, Palmer, Phelps, White, Whitesides, and Wells, (President,) —10.

Those who voted in the negative, were

Messrs. Collins, Lovell, and Turner,—3.

Mr. Clark gave notice that on some future day he should ask leave to introduce

"A bill to amend the 6th section of the act to provide for laying out certain territorial roads therein named, approved February 11, 1847.

On motion of Mr. Palmer,

The council adjourned.

Thursday, February 24, 1848.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read.

Petitions &c. were presented and referred, as follows:

By Mr. Collins:

A petition of 303 inhabitants of Columbia county, for a temporary location of the county seat at Columbia;

Which was referred to a select committee consisting of Messrs. Collins, Phelps, and McCartney.

Mr. Turner presented sundry accounts from Messrs. Kellogg, Dean & Co., Hale & Chapman, and Lewis, against the territory;

Which were severally referred to the committee on legislative expenses.

Mr. Manahan presented the account of H. A. Wright, for printing;

Which was referred to the committee on territorial expenses.

Mr. Clark, by leave, introduced

No. 32, (C.) "A bill to amend the 6th section of an act to provide for laying out certain territorial roads therein named, approved February 11, 1847;"

Which was read the first and second times.

Mr. Darling gave notice that he should on some future day ask leave to introduce

A bill to organize the county of Marquette for judicial purposes.

Mr. Collins, from the majority of the committee on internal improvements, to which had been referred

No. 17, (H. of R.) "A bill to dissolve the marriage contract between Orman Crandall and Angeline Crandal,"

Made the following report, to wit:

The committee on internal improvements, to which was referred

No. 17, (H. of R. file,) entitled "A bill to dissolve the marriage contract between Orman Crandall and Angeline Crandall,

REPORT:

That they have had the subject under consideration, and a majority of the committee are of the opinion that the great interests of the territory, which it is the peculiar duty of this committee to promote and protect, will not be promoted by the passage of the bill committed to them. While a majority of said committee are of the opinion that the pride, power, and im-

portance of the state depend in no small degree upon the increase of numbers, they cannot recommend such increase by making two out of one; and finding no good reason for the passage of said bill, therefore recommend that the bill be not passed.

A. L. COLLINS,
Ch'n com. int'l impr'ts.

Mr. Phelps, from the minority of said committee, made the following report, to wit:

The undersigned, a member of the committee on internal improvements, to which was referred the petition of Orman Crandall, for a divorce from his wife, Angeline Crandall, dissenting from the views of a majority of the said committee, begs leave, respectfully, to

REPORT:

That on full consideration of the evidence placed before the committee, he is of the opinion that the petitioner is entitled to have the prayer of his petition granted, and that his case presents as strong claims to the relief of the legislative assembly, as any which has been presented during the present session.

Said reports were accepted.

Mr. White, from the majority of said committee, made a report dissenting from the reasons, and agreeing with the conclusions of the report made by Mr. Collins.

Mr. Darling moved that the whole subject be re-committed to the committee.

And the question having been put,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Darling, and Wells, (President,)—2.

Those who voted in the negative, were

Messrs. Clark, Collins, Holmes, Lovell, Manahan, McCartney, Phelps, Palmer, Turner, White, and Whitesides,—11.

Mr. Lovell moved that Mr. White have leave to withdraw his report;

And the question having been put,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Darling, Lovell, Manahan, Palmer, Phelps, White, and Whitesides,—7.

Those who voted in the negative, were

Messrs. Clark, Collins, Holmes, McCartney, Turner, and Wells, (President,)—6.

Mr. Lovell moved that the council take a recess until half-past two o'clock, P. M.

And the question having been put,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Collins, Lovell, Manahan, McCartney, Palmer, Phelps, White, and Whitesides,—8

Those who voted in the negative, were

Messrs. Clark, Darling, Holmes, Turner, and Wells, (President,)—5.

HALF-PAST TWO O'CLOCK, P. M.

Mr. Manahan, from the committee on engrossment, reported as correctly engrossed,

No. 10, (C.) "A bill to change the boundaries of the town of Lawrence, in the county of Brown;" also,

No. 9, (C.) "A bill to define the boundaries of the county of Fond du Lac, and the jurisdiction of counties to Lake Winnebago, also to legalize the acts of said county as to certain towns therein organized;" also,

No. 27, (C.) "A bill to authorise the construction of a dam across Fox river, and for other purposes;" also,

"A resolution relative to the adjournment of the present session of the legislative assembly."

Mr. Whitesides, from the select committee to whom had been referred

No. 18, (H. of R.) "A bill to dissolve the marriage contract between Samuel Burdick and Ellen Burdick,"

Made the following report to wit:

The select committee to whom was referred No. 18, (H. of R.) with the accompanying documents, beg leave to

REPORT:

That they have had the same under consideration, and from the supposed facts in the case, as gathered from the evidence on the part of the petitioner, a majority of the committee would recommend the above bill to the favorable consideration of the council, and ask to be discharged from the further consideration thereof.

Mr. Clark, from the select committee to whom that subject had been referred, reported

No. 33, (C.) "A bill to divorce John Curtis from his wife, Ann Amanda Curtis;"

Which was read the first and second times.

The resolution relative to the adjournment of the present session of the legislative assembly;

No. 27, (C.) "A bill to authorise the construction of a dam across Fox river, and for other purposes;"

No. 9, (C.) "A bill to define the boundaries of the county of Fond du Lac, and the jurisdiction of counties to Lake Winnebago, also to legalize the acts of said county as to certain towns therein named;"

No. 10, (C.) "A bill to change the boundaries of the town of Lawrence, in the county of Brown;" also,

No. 14, (H. of R.) "A bill to make the official certificate of any register or receiver of any land office of the United States in this territory evidence in certain cases;" and

No. 4, (H. of R.) "A bill to authorize school district No. 6, in the town of Summit, to levy a tax to pay the expenses of building a school house;"

Were severally read the third time, passed, and the titles agreed thereto.

The rules having first been suspended for that purpose,

The council then resolved itself into committee of the whole, for the consideration of the general file of bills,

Mr. Lovell in the chair.

And after some time spent therein, the committee rose, and by their chairman reported

No. 32, (H. of R.) "An act to change the name of Christian W. Swartz;"

No. 29, (H. of R.) "A bill to provide for laying out a territorial road from Beloit, in the county of Rock, to White Oak Springs, in the county of La Fayette;"

No. 28, (H. of R.) "A bill to provide for levying a tax on Jefferson school district, in the town of Grafton, for building a school house, and on district No. 1, in the town of Elkhorn, for the same purpose;" and

No. 3, "A memorial to congress on the subject of an appropriation for a light house at Port Washington, and for a survey of the harbor;"

No. 17, (H. of R.) "A bill to dissolve the marriage contract between Orman Crandall and Angeline Crandall,"

Without amendment.

Bill 28, (H. of R.) and memorial No. 3 were severally ordered to be read the third time.

The question having been put on ordering No. 17, (H. of R.) to be read the third time,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Darling, McCartney, Phelps, Turner, Whitesides, and Wells, (President,)—7.

Those who voted in the negative, were

Messrs. Collins, Holmes, Lovell, Manahan, Palmer, and White,—6.

Mr. Darling moved to lay bill No. 32, (H. of R.) on the table;

Which was agreed to.

On motion of Mr. Holmes,

Bill No. 29, (H. of R.) was referred to the committee on roads.

The president laid before the council the annual report of the register and receiver of canal lands,

Which was ordered printed.

On motion of Mr. Lovell,

The council adjourned.

FRIDAY, February 25, 1848.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read.

Petitions, &c., were presented and referred, as follows, to wit:

By Mr. Clark:

A remonstrance of H. E. Allen and 46 others, against a division of Walworth county;

Also, a remonstrance from Le Grand Rockwell and 88 others, on the same subject;

Also, a remonstrance of Freeborn Welch and 32 others, on the same subject;

Which were severally referred to the committee on county and township organization.

Also, a petition of A. Furguson and 47 others, for a plank or McAdamized road from Milwaukee to Beloit or Janesville, via. Waterford, Rochester, Burlington and Geneva;

Which were severally referred to the committee on roads.

By Mr. Palmer:

A petition of town officers of the town of Turtle, Rock county, and others, asking for the legalizing of a certain act of the town officers;

Which was referred to the committee on the judiciary.

By Mr. Darling:

A petition of sundry inhabitants of the town of Seven Mile Creek, asking to have the name of that town changed to that of Adario; also,

By Mr. White:

A remonstrance against dividing the county of Racine;

Which were severally referred to the committee on county and township organization.

By Mr. Collins:

A petition from the supervisors of Dane county;

Which was referred to the committee on the judiciary.

Mr. Phelps, from the committee on roads, reported

No. 34, (C.) "A bill to establish certain territorial roads therein named;"

Which was read the first and second times.

Mr. Darling, from the committee on county and township organization, reported

No. 35, (C.) "A bill to divide the town of Centre, in Rock county, and to organize the town of Plymouth;"

Which was read the first and second times.

Mr. Clark, from the committee on territorial affairs, made the following report, to wit:

"The committee on territorial affairs, to whom was referred the petition of Daniel Baxter, representing that there is a balance due to him for work done on the capitol, of $1,372 14, and interest since April, 1843, as set forth in his petition, would respectfully

REPORT:

That they have had the subject under consideration, and find by an examination of the records of the legislative assembly for five years past, that there has been much legislative action on the subject of the unsettled claims of Daniel Baxter, as set forth in the said petition. It appears, in the session of 1843, that a joint resolution was passed by the legislative assembly authorizing a joint select committee to be appointed "to settle with Daniel Baxter for work done on the capitol, and the following amendment was offered by Mr. Strong and adopted, to wit: "And

they be authorized to report by bill or otherwise." The said committee made their report on the 7th of April, 1843; in which it appears that the committee disallowed and deducted from Mr. Baxter's account $512 40, and then say, "if the committee have judged correctly in their allowance for extra work to Mr. Baxter, that the territory is now indebted to him for extra work on the capitol the sum of $1,372 14;" "and that he has a claim on the territory of $1,477 80, for damages sustained by him in consequence of the depreciation of territorial bonds." In relation to the justice of which the committee express no opinion, but only state that they are satisfied from evidence before them that Mr. Baxter has sustained very heavy damages in consequence of the depreciation of the bonds, and that the depreciation has been occasioned almost entirely by the course pursued by the present governor in his official proclamation in relation to the treasurer of the territory under whose administration the bonds were issued.

The committee further say, "it is proper, however, to remark that Mr. Baxter is not satisfied with the action of the said committee, but conceives that they should have allowed him a greater sum for extra work, and also have made him an allowance for the depreciation of the bonds." It would here be proper to state that the reason assigned by the said joint committee for not reporting for the action of the legislature, the amount to which Mr. Baxter might, upon investigation, be entitled for damages sustained by him on the said depreciated bonds was, that the resolution creating said joint committee, did not authorize them to act, only on one specific subject, and that was, to settle with Mr. Baxter for "work done on the capitol." It appears from an examination of the subject, that although several applications have been made to the legislature since the report of the joint select committee of April 7th, 1843, that nothing was done affecting the claim until the passage of a joint resolution, approved January 31, 1846, in the words following: "Resolved by the council and house of representatives of the territory of Wisconsin: That the territorial treasurer be, and he hereby is authorized and directed to pay over to Daniel Baxter, eight of the remaining territorial bonds retained as the residuary amount of said contract. *Provided*, That the said Baxter will receive the same

in full satisfaction and relinquishment for all *unsettled claims*, *demands*, or *damages* which he may have against the territory. It appears that Mr. Baxter accepted of the conditions contained in the above resolution, and received the eight bonds as specified, and offered him as a condition of settlement, in said resolution, and your committee do not feel justified in going beyond the said resolution in looking up claims to be adjusted with Mr. Baxter. But the committee deem it proper to here say, that Mr. Baxter claims that the reasons for accepting the eight one hundred dollar bonds, as offered him by the resolution, was, that he was under the impression that the resolution had reference only to the "*unsettled claim*" for the loss he had sustained on the depreciated bonds, and into the settlement of which the joint select committee of the 7th of April, 1843, did not feel authorized by the language of the resolution creating the said committee, to enter. The sum of $1,372 14 which was reported by the said joint select committee as due to Mr. Baxter "for work done on the capitol," he claims as a liquidated debt due, and admitted by the said report to be due him, could not equitably come in under the resolution of 1846, which he holds could have reference only to unsettled claims. Hence he claims that the liquidated amount of the $1,372 14 is yet due him by the territory, the aforesaid resolution of settlement of 1837 to the contrary notwithstanding.

Your committee do not feel authorized to decide whether the ground occupied by Mr. Baxter is tenable or not. If the constructions which he puts upon the subject under consideration is correct, and can be sustained, then it follows that the territory is still indebted to him in the sum of $1372 14 and the interest on the same since 1843; but your committee are of the opinion that if a plain, fair, common sense construction is given to the resolution of settlement of January 31st, 1846, it would deprive Mr. Baxter of any legal claim on the territory prior to the adoption of the said resolution. The committee therefore recommend that the petitioner have leave to withdraw his petition.

HENRY CLARK, Ch'n.
MASON C. DARLING,
B. F. MANAHAN.

February 24th, 1848.

Said report was accepted, and the committee discharged from the further consideration of the subject.

Mr. Collins, from the select committee to whom that subject had been referred, made the following

REPORT:

The select committee to which was referred the petition of inhabitants of Columbia county, for a temporory location of the county seat of said county, have had the same under consideration, and are of the opinion unanimously that the prayers of the petitioners ought to be granted, and therefore report by bill, which is herewith submitted.

A. L. COLLINS, Ch'n.
ORRIS McCARTNEY,
C. M. PHELPS.

And also reported

No. 36, (C.) "A bill to locate temporarily the county seat of Columbia county;"

Which was read the first and second times.

No. 18, (H. of R.) "A bill to dissolve the marriage contract between Samuel Burdick and Ellen Burdick;"

Was taken up, and the question having been put upon ordering said bill to be read the third time,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling, Manahan, McCartney, Phelps, Turner, Whitesides and Wells, (President,)—9.

Those who voted in the negative, were

Messrs. Holmes, Lovell, Palmer and White,—4.

No. 3, (H. of R.) "Memorial to Congress on the subject of an appropriation for a light house at Port Washington, and for a survey of the harbor;"

Was read the third time, passed, and the title agreed to.

No. 17, (H. of R.) "A bill to dissolve the marriage contract between Orman Crandrall and Angeline Crandall;"

Was taken up, and the question having been put upon the passage of said bill,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Darling, Holmes, Manahan, McCartney, Phelps, Turner, Whitesides, and Wells, (President,)—9.

Those who voted in the negative, were

Messrs. Collins, Lovell, Palmer, and White,—4.

So the said bill passed, and the title agreed to.

Mr. White moved that he have leave of the council to enter upon the journal a written protest to the passage of said bill.

And the question having been put,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Darling, Lovell, Palmer and White,—4.

Those who voted in the negative, were

Messrs. Clark, Collins, Holmes, Manahan, McCartney Phelps, Turner, Whitesides, and Wells, (President,)—9.

A message from the house of representatives by their chief clerk.

"Mr. President:—The house of representatives have passed

No. 1, (C.) 'Preamble and resolution relative to the death of Silas Wright;'

No. 2, (C.) 'Memorial to congress for an appropriation to complete the steam boat landing at Potosi, in Wisconsin;'

No. 3, (C.) 'Memorial of the council and house of representatives, to the senate of the United States, upon the subject of a treaty with the Menomonee tribe of Indians, for the lands north of the Fox river;'

No. 2, (C.) 'A bill to incorporate the Du Lac Academy;'

The last with amendments, in which the concurrence of the council is requested.

And have also passed

No. 31, (H. of R.) 'An act for the relief of John Hooper and Lucinda F Hooper;'

No. 41, (H. of R.) 'A bill to organize the county of Manitouwoc for judicial purposes;'

No. 42, (H. of R.) 'An act to change the name of Mary Ann Connor, and make her the heir at law of Harris H. H. Briggs and Eleen Briggs;'

No. 44, (H. of R.) 'A bill to authorize the trustees of school district number one, in the town of Manitouwoc, in the county of Manitouwoc, to levy a tax to build a school house;' and

No. 50, (H. of R.) 'A bill to change the name of Henry Heap to Henry Heap Kendall;'

In which the concurrence of the council is requested."

Mr. Holmes moved that the council adjourn;

Which was disagreed to.

On motion of Mr. Darling,

The council adjourned until half past 2 o'clock, P. M.

HALF PAST TWO O'CLOCK, P. M.

No. 18, (H. of R.) "A bill to dissolve the marriage contract between Samuel Burdick and Ellen Burdick,"

Was taken up.

Mr. Turner moved a call of the council.

Which was ordered, and

Messrs. Clark, Darling, Holmes, Lovell, and Manahan, were reported as absent.

Several of the absentees having appeared in their seats.

Mr. Darling moved to excuse Mr. Clark;

Which was agreed to.

Mr. Palmer moved that further proceedings under the call be dispensed with;

Which was agreed to.

Mr. Darling moved to lay the said bill on the table;

Which was agreed to.

Mr. Darling, from the committee on enrolled bills, reported ss correctly enrolled, bills

No. 4, (H. of R.) "A bill to authorize school district No. 6, in the town of Summit, to levy a tax to pay the expenses of building a school house; and

No. 14, (H. of R.) "A bill to make the official certificate of any register or receiver of any land office of the United States, *in this territory, evidence in certain cases.*"

Mr. Collins gave notice that he should on some future day ask leave to introduce,

A bill for the relief of school district No. 1, in the village of Madison, and for other purposes.

No. 28, (H. of R.) "A bill to provide for levying a tax on Jefferson school district, in the town of Grafton, for building a school house, and on district No. 1, in the town of Elkhorn, for the same purpose,"

Was read the third time, passed, and the title agreed to.

The rules having first been suspended for that purpose,

The council then resolved itself into committee of the whole, for the consideration of the general file of bills,

Mr. Collins in the chair.

And after some time spent therein, the committee rose, and by their chairman reported bills

No. 28, (C.) "A bill to amend the charter of the village of Racine;" and

No. 30, (C.) "A bill to authorize Barton Salisbury to construct a dam across the Milwaukee river,"

With amendments; also,

No. 33, (C.) "A bill to divorce John Curtis from his wife, Ann Amanda Curtis,"

Without amendments;

No. 32, (C.) "A bill to amend the 6th section of an act to provide for laying out certain territorial roads therein named, approved February 11, 1847,"

Without amendments.

The amendments of the committee of the whole to

Bills Nos. 28 and 30, (C.) were severally concurred in, and said bills ordered to be engrossed and read the third time.

Bill No. 32, (C.) was then ordered to be engrossed.

Mr. Darling moved to lay on the table, bill No. 33, (C.);

Which was agreed to.

On motion of Mr. Holmes,

The council adjourned.

SATURDAY, February 26, 1848.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read.

Mr. Darling, from the committee on enrolled bills, reported as correctly enrolled,

"Memorial to congress for an appropriation to complete the steamboat landing at Potosi, in Wisconsin." Also,

"Preamble and resolution relative to the death of Silas Wright."

"Memorial of the council and house of representatives to the senate of the United States, upon the subject of a treaty with the Menomonee tribe of Indians for the lands north of the Fox river.

"An act to dissolve the marriage contract between Orman Crandall and Angeline Crandall."

"Memorial to congress on the subject of an appropriation for a light house at Port Washington, and for a survey of its harbor;" and

"An act to provide for levying a tax on Jefferson school district, in the town of Grafton, for building a school house, and on district No. 1, in the town of Elkhorn, for the same purpose."

Mr. Collins, by leave, introduced

No. 37, (C.) "A bill to incorporate the Port Washington, Horicon, and Beaver Dam turnpike company;"

Which was read the first and second times.

Mr. Darling gave notice that he should, on some future day, ask leave to introduce

"A bill to change the name of William Henry Hill to that of William Henry Gardner."

Mr. Manahan, from the committee on engrossed bills, reported as correctly engrossed

No. 28, (C.) "A bill to amend the charter of the village of Racine."

No. 30, (C.) "A bill to authorize Barton Salisbury, to construct a dam across the Milwaukee river;" and

No. 32, (C,) "A bill to amend the sixth section of an act to provide for laying out certain territorial roads therein named, approved February 11th, 1847."

Mr. Phelps, from the committee on territorial roads, reported

No. 38, (C.) "A bill granting to Chester Watson the right to keep and maintain a ferry across the Wisconsin river:"

Which was read the first and second times.

Mr. Darling, from the committee on county and town organization, made the following report, to wit:

The committee on county and town organization, to which was referred the petitions and remonstrances of the inhabitants of the county of Winnebago, praying for and remonstrating against any change of the county seat of that county, beg leave to

REPORT:

That by an act of the legislative assembly, approved February 8th, 1847, the county seat of Winnebago county, was established upon section twenty-four, town eighteen, range sixteen, in the town of Winnebago, subject to the contingency of the following proviso, to wit: "Provided, that suitable buildings shall be furnished for the holding of courts for said county by the proprietors of said town, free of all cost or charge to the said county for the next three years."

It is not alleeged by the petitioners that this proviso has *not* been complied with; but on the other hand, it is shown by the possitive assertion of the proprietors of that town, that its provisions have been so far complied with as to procure the erec-

tion of a building at a cost of two hundred dollars, which is used for schools and other public purposes, and also that the said proprietors are now erecting a two story building, upon land already deeded to the county, which is estimated to cost $500, and on which there has already been expended about $300.

These provisions of the law having been complied with, your committee deem that in order to claim any change of the law relating to such location, the petitioners should be held to show that a majority of the people are in favor of such a change, or at least opposed to the present location.

The petitions and remonstrances do not show this fact. There are presented to the legislature and referred to the committee, petitions embracing 412 names, and remonstrances signed by 497; of the former the committee deduct 17 names, which by the carelessness or negligence of petitioners were signed to the different petitions from two to five times each. Deducting this number from the whole, there would remain a majority of 102 against any change of the law.

But your committee feel bound to remark, that the manner in which signers to petitions and remonstrances are obtained by interested persons often precludes the idea of furnishing a correct expression of the popular will. In the case under consideration, the names of some 892 persons in the several petitions and remonstrances, purporting to be residents of that county, whereas the largest vote of that county as returned to the secretary's office, shows only 368 votes. It will be thus seen that the proportion between voters and population, in this case, would amount to nearly one in three of the whole population.

But in deciding this case the committee are met with a greater difficulty, in the provisions of the 8th section of the 13th article of the constitution. This section reads as follows: "No county seat shall be removed until the point to which it is proposed to be removed shall be fixed by law, and a majority of the voters of the county voting on the question shall have voted in favor of its removal to such point."

It is evident to the committee, that under this proviso, if the constitution shall be adopted, of which there now can hardly be a doubt, no law can be passed carrying out the prayer of the petitioners that would not be annulled by the constitution before its

provision could be made available to the county. It will be seen that the petitioners do not ask for a repeal of the present laws, or a re-location of the county seat by the legislature; but merely to permit the people of that county to decide such location by vote. Hence the passage of a law granting such privilege would become a nullity upon the adoption of the constitution.

Your committee therefore beg leave to report adversely to the prayer of the petitioners.

Respectfully submitted.

MASON C. DARLING, Chn.
N. E. WHITESIDES,
PHILO WHITE.

Said report was accepted, and the committee was discharged from the further consideration of the subject.

The message of the house of representatives was then taken up, and the following bills were severally read the first and second times:

No. 31, (H. of R.) "An act for the relief of John Hooper and Lucinda F. Hooper;"

No. 41, (H. of R.) "A bill to organize the county of Manitowoc for judicial purposes;"

No. 42, (H. of R.) "An act to change the name of Mary Ann Connor, and make her the heir at law of Harris H. H. Briggs and Eleea Briggs;"

No. 44, (H. of R.) "A bill to authorize the trustees of school district number one, in the town of Manitouwoc, in the county of Manitouwoc, to levy a tax to build a school house;" and

No. 50, (H. of R.) "A bill to change the name of Henry Heap to Henry Heap Kendall."

The amendments of the house to

No. 2, (C.) "A bill to incorporate the Du Lac Academy,"

Were then concurred in.

No. 32, (C.) "A bill to amend the sixth section of an act to provide for laying out certain territorial roads therein named, approved February 11, 1847;"

No. 30, (C.) "A bill to authorize Barton Salisbury to construct a dam across the Milwaukee river;" and

No. 28, (C.) "A bill to amend the charter of the village of Racine,"

Were severally read the third time, passed, and the titles thereof agreed to.

No. 33, (C.) "A bill to divorce John Curtis from his wife Ann Amanda Curtis;"

Was taken up, and the question having been put upon ordering said bill to be read the third time,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Darling, Manahan, McCartney, Phelps, Turner, and Whitesides,—7.

Those who voted in the negative, were

Messrs. Collins, Holmes, White, and Wells, (President,)—4.

So the said bill was ordered to be engrossed, and read the third time.

No. 18, (H. of R.) "A bill to dissolve the marriage contract between Samuel Burdick and Ellen Burdick;"

Was taken up.

And the question having been put on the passage of the same,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling, Manahan, McCartney, Phelps, Turner, and Whitesides,—8.

Those who voted in the negative, were

Messrs. White and Wells, (President,)—2.

So the said bill passed, and the title agreed to.

A message from the house of representatives by their chief clerk.

Mr. President:—I am directed to present for your signature,

"An act to make the official certificate of any Register or Receiver of any land office of the United States, in this territory, evidence in certain cases;"

"An act to authorize school district No. 6, in the town of Summit, to levy a tax to pay the expenses of building a school house;"

"An act to dissolve the marriage contract between Orman Crandrall and Angeline Crandall;"

"An act to provide for levying a tax on Jefferson school district, in the town of Grafton, for building a school house, and on district No. 1, in the town of Elk Horn, for the same purpose;"

"Memorial to congress on the subject of an appropriation for a light house at Port Washington and for a survey of its harbor;"

"Memorial of the council and house of representatives, to the senate of the United States upon the subject of a treaty with the Menomonee tribe of Indians, for the lands north of the Fox river;"

"Memorial to Congress for an appropriation to complete the steamboat landing at Potosi, in Wisconsin;" and

"Preamble and resolution relative to the death of Silas Wright;"

Which have been signed by the speaker of the house of representatives."

Said acts were severally signed by the president.

The rules having first been suspended for that purpose;

The council then resolved itself into a committee of the whole, for the consideration of the general file of bills;

Mr. Manahan in the chair.

And after some time spent therein, the committee rose, and by their chairman reported

No. 42, (H. of R.) "An act to change the name of Mary Ann Connor, and make her the heir at law of Harris H. Briggs and Eleea Briggs;"

No. 41, (H. of R.) "A bill to organize the county of Manitouwoc for judicial purposes;"

No. 44, (H. of R.) "A bill to authorize the trustees of school district No. 1, in the town of Manitouwoc, in the connty of Manitouwoc, to levy a tax to build a school house;"

No. 31, (H. of R.) "An act for the relief of John Hooper and Lucinda F. Hooper;"

No. 50, (H. of R.) "A bill to change the name of Henry Heap to Henry Heap Kendall;"

No. 36, (C.) "A bill to locate temporarily the county seat of Columbia county;" and

No. 35, (C.) "A bill to divide the town of Centre in Rock county, and to organize the town of Plymouth;"

Without amendments. And

No. 34, (C.) "A bill to establish certain territorial roads therein named;" and

No. 31, (C.) "A bill to incorporate the Southport and Beloit Road company;"

With sundry amendments.

The amendments of the committee of the whole to bills Nos. 31 and 34, (C.) were then severally concurred in, and

Bills Nos 34, 35, and 36, (C.) were severally ordered to be engrossed and read the third time.

Bills Nos. 42, 41, 44, 31, and 51, (H. of R.) were severally ordered to be read the third time.

On motion of Mr. Turner,

Bill No. 3, (H. of R.) was referred to the committee on territorial affairs.

A message from the house of representatives, by their chief clerk:

"Mr. President:—The house of representatives have passsd No. 2, (H. of R.) 'Memorial to congress praying that the military reservation on the east side of the Mississippi river, opposite to Fort Snelling, may be raised, and the rights of preemption granted to former settlers thereon;'

In which the concurrence of the council is requested."

The president laid before the council the annual report of the treasurer of the territory;

Which was laid on the table and ordered printed.

Mr. Lovell, by leave, presented a petition of D. E. Burgis and others, in relation to legalizing a road in the county of Racine;

Which was referred to the committee on the judiciary.

Also, the proceedings of a meeting of citizens of Manitowoc in relation to a bridge over the Manitowoc river;

Which was referred to the committee on roads.

Mr. Holmes, by leave, presented a petition of inhabitants of Jefferson county, to change the boundaries of the town of Aztalan;

Which was referred to the committee on county and township organization.

Mr. Manahan, from the committee on engrossment, reported No. 33, (C.) "A bill to divorce John Curtis from his wife, Ann Amanda Curtis," as correctly engrossed.

Mr. Darling gave notice that he should, on some future day, ask leave to introduce

A bill to incorporate the Horicon and Marquette plank road company.

Mr. Holmes moved that the council adjourn.

And the question having been put,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Darling, Holmes, Manahan, McCartney, Whitesides, and Wells, (President,)—6.

Those who voted in the negative, were

Messrs. Clark, Collins, Lovell, Phelps, Turner, and White, —6.

Mr. Holmes moved that the council adjourn until 6 o'clock, P. M.

And the question having been put,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Darling, Holmes, Manahan, McCartney, Whitesides, and Wells, (President,)—7.

Those who voted in the negative, were

Messrs. Collins, Lovell, Phelps, Turner, and White,—5.

So the council adjourned until 6 o'clock, P. M.

SIX O'CLOCK. P. M.

The president being absent,

Mr. Clark was appointed president pro tem.

Mr. Darling moved that the council adjourn, there being no quorum in attendance;

Which was agreed to.

So the council adjourned.

MONDAY, February 28, 1848.

Prayer by the Rev. Mr. Lord.

The journal of Saturday was road.

Petitions, &c., were presented and referred as follows:

By Mr. Clark:

A remonstrance of Edwin Booth and 15 others, against any alteration of the county of Walworth;

By Mr. Lovell:

A petition of 301 inhabitants of the county of Racine, praying for a division of the county;

By Mr. White:

A remonstrance against the division of the county of Racine; also,

A remonstrance of Albert Guilbert and 57 others, against a division of said county; also,

A remonstrance of G. W. Phelps and others, against the division of said county; also,

A remonstrance of Walter Secor and others, against a division of said county;

By Mr. Darling:

A petition to annex town No. 16, range No. 17, in Fond du Lac, to the town of El Dorado;

Which were severally referred to the committee on county and township organization.

By Mr. Darling:

A remonstrance of Isaac Crofoot and 31 others, of Seven Mile Creek, against the repeal of the law authorizing the people to vote on the license question;

Which was ordered to be laid on the table.

By Mr. Holmes:

A petition of 75 inhabitants of Jefferson county, for a plank road;

Which was referred to the committee on roads.

By Mr. Collins:

A petition of the inhabitants of town No. seven, range ten, east;

Which was referred to the committee on county and township organization. Also,

The claim of E. F. Utter, for printing the constitution, &c.;

Which was referred to the committee on territorial expenses.

Mr. Turner gave notice that he should, on some future day, ask leave to introduce

A bill to authorize the construction of a plank road from Milwaukee to Rock river.

Mr. Darling gave notice that he should, on some future day, ask leave to introduce

A bill to incorporate the Fond du Lac and Maysville road company; also,

A bill to incorporate the Sheboygan and Fond du Lac road company.

In accordance with previous notice, and by leave, the following bills were introduced, to wit:

By Mr. Darling:

No. 39, (C,) "A bill to incorporate the Horicon and Marquette plank road company."

By Mr. Turner:

No. 40, (C.) "A bill supplementary to an act, entitled 'an act to incorporate the Milwaukee and Waukesha rail road company,' approved February 11, 1847;"

By Mr. Darling:

No. 41; (C.) "A bill to change the name of William Henry Hill to that of William Henry Gardner;"

Which were severally read the first and second times.

Mr. Darling, from the committee on enrolled bills, made the following report, to wit:

The committee on enrolled bills report, that they did on the 26th instant, present to the Governor for his approval,

"An act to make the official certificate of any register or receiver of any land office of the United States, in this territory, evidence in certain cases;"

"An act to dissolve the marriage contract between Orman Crandall and Angeline Crandall:"

"An act to provide for levying a tax on Jefferson school district, in the town of Grafton, for building a school house, and on district No 1, in the town of Elkhorn, for the same purpose;"

"An act to authorize school district No. 6, in the town of Summit, to levy a tax to pay the expenses of building a school house;" also,

"Memorial to congress on the subject of an appropriation for a light house at Port Washington, and for a survey of its harbor;"

"Preamble and resolution relative to the death of Silas Wright;"

"Memorial to congress for an appropriation to complete the steamboat landing at Potosi, in Wisconsin;"

"Memorial of the council and house of representatives of the territory of Wisconsin, to the senate of the United States, upon the subject of a treaty with the Menomonee tribe of Indians, for the lands north of the Fox river."

The committee also report as correctly enrolled,

"An act to incorporate the Du Lac academy."

Mr. Manahan, from the committee on engrossed bills, reported as correctly engrossed,

No. 31, (C.) "A bill to incorporate the Southport and Beloit road company;"

No. 34, (C.) "A bill to establish certain territorial roads therein named;"

No. 35, (C.) "A bill to divide the town of Center, in Rock county, and to organize the town of Plymouth;" and

No. 36, (C.) "A bill to locate temporarily the county seat of Columbia county."

Mr. Turner, from the select committee to whom the same had been referred, made the following report, to wit:

The select committee to whom had been referred

House bills Nos. 10, 11, and 12, to divorce John H. Hays from his wife, Mary J. Hays; Reuben Hurlbut from his wife, Hannah Hurlbut; and Elizabeth Reynolds from her husband, Adney B. Reynolds, beg leave to

REPORT:

That they have had the subjects referred to them under consideration, and have carefully examined the testimony introduced upon the several applications, and are clearly of the opinion that they are of that meritorious class of applications which should receive the favorable action of the council.

All of which is respectfully submitted.

JOSEPH TURNER, Ch'n,
J. E. HOLMES.

The message from the house of representatives was then taken up, and

No. 2, (H. of R.) "Memorial to congress praying that the military reservation on the east side of the Mississippi river, opposite to Fort Snelling, may be raised, and the right of pre-emption granted to former settlers thereon,"

Was read the first and second times.

No. 36, (C.) "A bill to locate temporarily the county seat of Columbia county,"

Was read the third time, passed, and the title thereof agreed to.

No. 33, (C.) "A bill to divorce John Curtis from his wife, Ann Amanda Curtis,"

Was then taken up.

And the question having been put on the passage of the same,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling, Manahan, McCartney, Phelps, Turner, and Wells, (President,)—8.

Those who voted in the negative, were

Messrs. Holmes, Lovell, White, and Whitesides,—4.

So the said bill passed and the title thereof was agreed to.

No. 35, (C.) "A bill to divide the town of Center, in Rock county, and to organize the town of Plymouth;"

No. 31, (C.) "A bill to incorporate the Southport and Beloit road company;"

No. 34, (C.) "A bill to establish certain territorial roads therein named;"

No. 41, (H. of R.) "A bill to organize the county of Manitowoc for judicial purposes;"

No. 42, (H. of R.) "An act to change the name of Mary Ann Conner and make her the heir at law of Harris H. H. Briggs and Ellea Briggs;"

No. 44, (H. of R.) "A bill to authorise the trustees of school district number one, in the town of Manitowoc, in the county of Manitowoc, to levy a tax to build a school house;" and

No. 50, (H. of R.) "A bill to change the name of Henry Heap to Henry Heap Kendall,"

Were severally read the third time, passed, and the titles thereof agreed to.

The rules having been suspended for that purpose,

The council then resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Holmes in the chair.

And after some time spent therein,

The committee rose and by their chairman reported bills

No. 10, (H. of R.) "A bill to divorce John H. Hayes from his wife, Mary J. Hayes;"

No. 11, (H. of R.) "A bill to divorce Reuben Hurlbut from his wife, Hannah Hurlbut;"

No. 12, (H. of R.) "A bill to divorce Elizabeth Reynolds from her husband, Adney B. Reynolds;"

No. 38, (C.) "A bill granting to Chester Watson the right to keep and maintain a ferry across the Wisconsin river,"

Without amendments; and

No. 37, (C.) "A bill to incorporate the Port Washington, Horicon, and Beaver Dam turnpike company,"

With amendments.

Mr. Collins moved that bill No. 1, (H. of R.) be referred to committee on the judiciary;

Which was agreed to.

And the question having been put on concurring in the amendments of the committee of the whole to

Bill No. 37, (C.) which was to amend the same by striking out section number twenty, and inserting "the said company shall be liable for all damages which may be sustained by any person or persons by reason of the omission or neglect to keep said road in good repair,"

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Darling, Holmes, Lovell, Manahan, Phelps, Turner, and White,—8.

Those who voted in the negative, were

Messrs. McCartney, and Whitesides,—2.

The question having been put on ordering bill No. 11, (H. of R.) to be read the third time,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Darling, Holmes, Manahan, McCartney, Phelps, Turner, and White,—8.

Those who voted in the negative, were

Messrs. Collins, Lovell, and Whitesides,—3.

The question having been put on ordering bill No. 10, (H. of R.) to be read the third time,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were,

Messrs. Collins, Darling, Holmes, Manahan, Turner, and Whitesides,—6.

Those who voted in the negative, were

Messrs. Clark, Lovell, McCartney, Phelps, and White,—5.

A message from the Governor by George P. Delaplaine, esq., his private secretary:

"Mr. President:—I am directed to inform you that the Governor did, on the 26th inst., approve, sign, and deposite in the office of the secretary of the territory,

'A memorial to congress for an appropriation to complete the steamboat landing at Potosi, in Wisconsin." Also,

'Memorial of the council and house of representatives of the territory of Wisconsin to the senate of the United States, upon the subject of a treaty with the Menomonee tribe of Indians for the lands north of the Fox river;' and

"Preamble and resolution relative to the death of Silas Wright."

Mr. Lovell, from the committee on the judiciary, to whom the same had been referred, reported

No. 25, (C.) "A bill for the relief of the town of Turtle, in Rock county;"

With amendment.

Said bill was read the second time.

Mr. Clark gave notice that he should, on some future day, ask leave to introduce

A bill to provide for the publication of a general index of the session laws from the year 1839 to 1848 inclusive, and to pay for preparing the same.

On motion of Mr. Collins,

The council took a recess until three o'clock, P. M.

THREE O'CLOCK P. M.

Mr. Darling, by leave, introduced

No. 42, (C.) "A bill amendatory of the acts to organize school district No. 1, in Fond du Lac for special purposes;"

Which was read the first and second times.

Mr. Darling, from the committee on enrolled bills, reported as correctly enrolled,

"An act to change the name of Mary Ann Connor, and make

her the heir at law of Harris H. H. Briggs and Eleea Briggs ;"

"An act to authorize the trustees of school district No. 1, in the town of Manitowoc, to levy a tax to build a school house ;"

"An act to change the name of Henry Heap to Henry Heap Kendall."

A message from the house of representatives, by their chief clerk:

"Mr. President:—The house of representatives have passed,

No. 1, (C.) 'Resolutions relative to the adjournment of the present session of the legislative assembly,'

With amendments,

In which the concurrence of the council is requested.

And have also passed

No. 6, (C.) 'A bill to authorize school district No. 1, in the town of Southport, to renew tax warrants ;'

No. 7, (C.) 'A bill to authorize the trustees of Plum Grove district to collect a tax to build a school house ;'

No. 12, (C.) 'A bill to incorporate the trustees for the management and care of the funds belonging to the Protestant Episcopal Church in Wisconsin ;'

No. 23, (C.) 'A bill for the relief of Henry W. Johnston ;'

No. 16, (H. of R.) 'An act to provide for the continuation of the Lisbon and Milwaukee plank road from Watertown to Madison ;'

No. 27, (H. of R.) 'A bill for an act to incorporate the Wisconsin Medical College ;'

No. 36, (H. of R.) 'A bill to incorporate the Wisconsin Iron Com pany ;'

No. 40, (H. of R.) 'A bill for an act to incorporate the Milwaukee and Janesville plank road company ;' and

No. 51, (H. of R.) "A bill to repeal the sixth section of an act entitled 'an act to repeal the fourth section of an act entitled an act to organize the county of St. Croix and to legalize the acts of certain officers in said county, and for other purposes,'"

In each of which the concurrence of the council is requested."

The message from the house of representatives was then taken up.

And the question being on concurring in the amendment of the house to

No. 1, (C.) "Resolution relative to the adjournment of the present session of the legislative assembly,"

Mr. Clark moved to lay the resolution on the table.

And the question having been put,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, White, and Wells, (President,)—3.

Those who voted in the negative were,

Messrs. Collins, Holmes, Lovell, Manahan, McCartney, Phelps, Turner, and Whitesides,—8.

The question then recurred on concurring in the amendment of the house, which was to strike out "6th" and insert "13th," in the first resolution, and also to strike out the second resolution.

And having been put,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Lovell, McCartney, Phelps, and Wells, (President,)—5.

Those who voted in the negative were,

Messrs. Collins, Holmes, Manahan, Turner, White, and Whitesides,—6.

No. 16, (H. of R.) "A bill to provide for the continuation of the Lisbon and Milwaukee plank road from Watertown to Madison;"

No. 36, (H. of R.) "A bill to incorporate the Wisconsin Iron Company;"

No. 51, (H. of R.) "A bill to repeal the sixth section of an act entitled 'an act to repeal the fourth section of an act entitled an act to organize the county of St. Croix, and to legalize the acts of certain officers in said county, and for other purposes,'" and

No. 40, (H. of R.) "A bill for an act to incorporate the Milwaukee and Janesville Plank Road Company,"

Were severally read the first and second times.

Mr. Darling, from the committee on enrolled bills, reported, that they did present to the governor on this day,

"An act to incorporate the Du Lac Academy," and

"An act to dissolve the marriage contract between Samuel Burdick and Ellen Burdick."

Mr. Holmes moved to reconsider the vote non-concurring in the amendment of the house to

No. 1, (C.) "Resolution relative to the adjournment of the present session of the legislative assembly;"

Which was agreed to.

The amendments of the house were then concurred in.

A message from the House of Representatives by their chief clerk.

"Mr. President—I am directed to present for your signature,

'An act to dissolve the marriage contract between Samuel Burdick and Ellen Burdick,' and

'An act to incorporate the Du Lac Academy.'

Which have been signed by the speaker of the house of representatives."

Said acts were then signed by the president of the council.

The council then resolved itself into committee of the whole, for the consideration of

No. 16, (H. of R.) "A bill to provide for the continuation of the Lisbon and Milwaukee plank road from Watertown to Madison," and

No. 25, (C.) "A bill for the relief of the town of Turtle, in Rock county;"

Mr. Turner in the chair.

And after some time spent therein, the committee rose, and by their chairman reported

Bill No. 16, (H. of R.) without amendment, and

Bill No. 25, (C.) with an amendment.

The amendment of the committee to said bill was then concurred in, and said bill was ordered to be engrossed and read the third time.

Bill No. 16, (H. of R.) was then ordered to be read the third time.

The rules having been first suspended for that purpose,

Said bill was read the third time, passed, and the title thereof agreed to.

A message from the house of representatives by their chief clerk.

"Mr. President: The house of representatives have passed

No. 54, (H. of R.) 'A bill to establish the seat of justice of the county of Marquette;'

No. 48, (H. of R.) 'A bill to authorize Joseph Carley and Benjamin Brown, and also George C. Daniels to build certain dams across the Milwaukee river;'

No. 58, (H. of R.) 'A bill for an act to exempt the Methodist Episcopal church in the city of Milwaukee from taxation;' and

No. 57, (H. of R.) 'A bill to incorporate the Milwaukee Cemetery Association in the city of Milwaukee.'

In which the concurrence of the council is requested."

Mr. Lovell, by leave, introduced the following resolution, which was adopted, to wit:

"*Resolved*, That the house of representatives be requested to return to the council, bill No. 41, (H. of R.) 'A bill to organize the county of Manitowoc for judicial purposes,' for the further action of the council."

A message from the house of representatives by their chief clerk.

"Mr. President—I am directed to return to the council for their further action,

No. 41, (H. of R.) 'A bill to organize the county of Manitowoc for judiclal purposes.'

I am also directed to present for your signature,

'An act to change the name of Mary Ann Connor, and to make her the heir at law of Harris H. H. Briggs and Elcea Briggs;'

'An act to change the name of Henry Heap to Henry Heap Kendall;' and

'An act to authorlze the trustees of school district No. 1, in the town of Manitowoc, to levy a tax to build a school house.'

Which have been signed by the speaker of the house of representatives."

The acts mentioned in said message were signed by the president.

Mr. Lovell moved that the vote on the passage of bill No. 41, (H. of R.) be re-considered;

Which was agreed to.

Said bill was referred to the committee on the judiciary.

The president presented a memorial of the board of supervisors of Milwaukee county;

Which was referred to the committee on the judiciary.

On motion of Mr. Clark,

The council adjourned.

Tuesday, February 29, 1848.

Prayer by the Rev. Mr. Lord.

The reading of the journal of yesterday was dispensed with.

Mr. White introduced the following resolution, to wit:

"Whereas both houses have concurred in a resolution for the adojurnment of this legislature on Monday, the 13th proximo; therefore

Resolved, (the house concurring) that no new bills or memorial to congress be received in either house, after Wednesday the 8th of March proximo."

Mr. White moved that said resolution be laid on the table;

Which was agreed to.

Mr. Turner, by leave, introduced,

No. 43, (C.) "A bill to incorporate the Milwaukee and Rock river plank road company;

Which was read the first and second times.

Mr. Turner gave notice that he should on some future day ask leave to introduce

A bill to repeal the act to incorporate the village of Prairieville, and the several acts amendatory thereto.

Mr. Lovell, from the committee on the judiciary, to whom the same had been referred, reported

No. 41, (H. of R.) "A bill to organize the county of Manitowoc for judicial purposes;"

With an amendment.

Said bill was then read the second time.

Also, from the same committee to whom had been referred a petition of 36 inhabitants of Portage county, on the Wisconsin river, for a law authorizing a tax on lumber and shingles floating on said river, to remove obstructions in the same, reported adversely to the prayer of the petitioners.

Mr. Phelps by leave introduced

No. 44, (C.) "A bill to incorporate the Milwaukee and Waterford plank road company;"

Which was read the first and second times.

Mr. Manahan, from the committee on engrossed bills, reported as correctly engrossed,

No. 37, (C.) "A bill to incorporate the Port Washington, Horicon and Beaver Dam turnpike company;" and

No. 38, (C.) "A bill granting to Chester Matson the right to keep and maintain a ferry across the Wisconsin river."

Mr. Clark by leave introduced

No. 45, (C.) "A bill to provide for the publication of a general index of the session laws from 1839 to 1848, inclusive, and to pay for preparing the same,"

Which was read the first and second times.

Mr. Collins, from the committee on the judiciary, made the following report, to wit:

The committee on the judiciary to which was referred council bill No. 24, a bill to legalize a road in the town of Yorkville, have had the same under consideration, and are of the opinion that the same ought not to pass, and accordingly recommend that the same be not passed, and ask to be discharged from the further consideration of the subject.

F. S. LOVELL,
A. L. COLLINS.
Judiciary com.

The said report was accepted and the committee discharged from the further consideration of the subject.

Mr. Darling, from the committee on enrolled bills, reported as correctly enrolled,

"An act to incorporate the trustees for the management and care of the funds and property belonging to the Protestant Episcopal Church;" also,

"An act to authorize the trustees of Plumb Grove district to collect a tax to build a school house;" also,

"An act to authorize school district No. 1, in the town of Southport to renew tax warrants;" and

"An act for the relief of Henry W. Johnston."

The message from the house of representatives, was then taken up, and

No. 48, (H. of R.) "A bill to authorize Joseph Carley and Benjamin Brown, and also George C. Daniels to build certain dams across the Milwaukee river;"

No. 58, (H. of R.) "A bill for an act to exempt the Methodist Episcopal Church in the city of Milwaukee from taxation;" and

No. 54, (H. of R.) "A bill to establish the seat of justice of the county of Marquette,"

Were severally read the first and second times.

On motion of Mr. Turner,

Bill No. 54, (H. of R.)

Was referred to a select of five.

The President announced the appointment of the following committee to whom said bill was referred, to wit:

Messrs. Turner, Whitesides, Collins, White and Darling.

On motion of Mr. Lovell,

No. 57, (H. of R.) "A bill to incorporate the Milwaukee cemetery association in the city of Milwaukee,"

Was referred to the committee on the judiciary.

No. 24, (C.) "A bill to legalize a road in the town of Yorkville,"

Was taken up, when

Mr. Lovell moved that said bill be laid on the table;

Which was agreed to.

No. 10, (H. of R.) "A bill to divorce John H. Hayes from his wife, Mary J. Hayes,"

Was read the third time.

And the question having been put on the passage of the same,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Darling, Holmes, Manahan, Phelps, Turner, and Whitesides,—7.

Those who voted in the negative, were

Messrs. Collins, Lovell, McCartney, White and Wells, (President,)—5.

So the said bill passed, and the title thereof was agreed to.

A message from the Governor, by George P. Delaplaine, esq., his private secretary:

"Mr. President:—I am directed by the Governor to inform you that he did on the 28th inst., approve, and deposit in the office of the Secretary of the Territory,

'An act to incorporate the Du Lac Academy.'"

No. 38, (C.) 'A bill granting to Chester Matson the right to keep and maintain a ferry across the Wisconsin river;"

Was read the third time, passed, and the title agreed to.

The question having been put on the passage of

No. 11, (H. of R.) "A bill to divorce Reuben Hurlburt from his wife Hannah Hurlburt;"

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Darling, Holmes, Manahan, Phelps, Turner, and Whitesides,—7.

Those who voted in the negative, were

Messrs. Collins, Lovell, McCartney, White, and Wells, (President,)—5.

So the said bill passed, and the title thereof was agreed to.

No. 37, (C.) "A bill to incorporate the Port Washington, Horicon, and Beaver Dam turnpike company;"

Was read the third time, passed, and the title thereof agreed to.

The council then resolved itself into committee of the whole, for the consideration of the general file of bills;

Mr. Clark in the chair.

And after some time spent therein, the committee rose, and by their chairman reported

No. 41, (H. of R.) "A bill to organize the county of Manitouwoc for judicial purposes;" also

No. 36, (H. of R.) "A bill to incorporate the Wisconsin Iron Company;" and

No. 48, (H. of R.) "A bill to authorize Joseph Carley and Benjamin Brown and also George C. Daniels to build a certain dam across the Milwaukee river;"

With amendments. Also,

Memorial No. 2, (H. of R.) "Memorial to Congress praying that the military reservation on the east side of the Mississippi river, opposite to Fort Snelling, be raised, and the right of pre-emption granted to former settlers thereon;" also

No. 51, (H. of R.) "A bill to repeal the 6th section of an act entitled an act, to repeal the fourth section of an act entitled an act to organize the county of St. Croix, and to legalize the acts of certain officers in said county, and for other purposes;" also,

No. 58, (H. of R.) "A bill for an act to exempt the Methodist Episcopal church in the city of Milwaukee, from taxation;"

No. 40, (H. of R.) "A bill for an act to incorporate the Milwaukee and Janesville plank road company;"

Without amendment, also, reported progress and asked leave to sit again on the general file of bills.

Leave was granted.

On motion of Mr. Holmes,

The council adjourned till half past 2 o'clock, P. M.

HALF-PAST TWO OCLOCK, P. M.

The amendments of the committee of the whole to.

Bills No. 41, 48, (H. of R.) were severally concurred in, and

said bills and Nos. 40, 51, and 58 (H. of R.) were severally ordered to be read the third time.

The question being on concurring in the amendment of the committee to bill No. 36, (H of R.)

Mr. Holmes called for a division of the question.

The question was then put on concurring in the first amendment, which was to strike out the words "one hundred," in section No. 1, and insert "twenty-five;"

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Darling, Lovell, Palmer, Phelps, White, Whitesides, and Wells, (President,)—8.

Those who voted in the negative, were

Messrs. Collins, Holmes, Manahan, McCartney, and Turner,—5.

The question was then put on concurring in the second amendment, which was to amend the first section by adding thereto,

"And each member of said company shall be individually liable for all debts contracted by or on behalf of said company;"

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling, Holmes, Lovell, Manahan, McCartney, Palmer, Phelps, Turner, White, Whitesides, and Wells, (President,)—13.

None voting in the negative.

The third amendment was then concurred in.

Said bill was then ordered to be read the third time.

The rules having first been suspended for that purpose;

Bills Nos. 58, 48, 51, 41, No. 2 memorial, and Bills Nos. 40 and 36, (H. of R.)

Were severally read the third time, passed, and the titles thereof agreed to.

A message from the house of representatives by their chief clerk:

"Mr. President: The Governor has notified the house of representatives that he did, on the 28th inst., approve, sign, and deposite in the office of the secretary of the territory,

'An act to dissolve the marriage contract between Samuel Burdick and Ellen Burdick;'

'An act to authorize the trustees of school district No. 1, in the town of Manitowoc, to levy a tax to build a school house;'

'An act to change the name of Mary Ann Connor, and make her the heir at law of Harrus H. H. Briggs and Ellea Briggs; and

'An act to change the name of Henry Heap to Henry Heap Kendall.'

I am also directed to present for your signature,

'An act to divorce John Hays from his wife Mary J. Hays.'

'An act to divorce Reuben Hurlbut from his wife, Hannah Hurlbut;'

'An act to incorporate the trustees for the management and care of the funds and property belonging to the Protestant Episcopal church, in Wisconsin;'

'An act to authorize school district No. 1, in the town of Southport, to renew tax warrants;'

'An act to authorize the trustees of Plum Grove district to collect tax to build a school house;' and

'An act for the relief of Henry W. Johnston;'

Which have been signed by the speaker of the house of representatives."

Said acts were severally signed by the president.

The council then resolved itself into committee of the whole for the consideration of

No. 27, (H. of R.) "A bill to incorporate the Wisconsin Medical College,"

Mr. Lovell in the chair.

And after some time spent therein the committee rose and by their chairman, reported the same back without amendment.

Said bill was then ordered to be read the third time.

And the rules having been first suspended,

Said bill was read the third time, passed, and the title thereof agreed to.

Mr. Holmes, from the committee on the judiciary, to which that subject had been referred, reported

No. 46, (C.) "A bill to amend an act authorizing a further sale of the canal lands, and for other purposes, and the act amendatory thereto;"

Which was read the first and second times.

And also by leave introduced

No. 47, (C.) "A bill to amend an act to provide for the punishment of offences against private property;"

Which was read the first and second times.

Mr. Lovell, from the committee on the judiciary, to which the same had been referred, reported

No. 16, (C.) "A bill for the relief of Crawford county, relative to taxes,"

With an amendment.

Said bill was then read the second time.

The council then resolved itself into committee of the whole for the consideration of said bill,

Mr. Whitesides in the chair.

And after some time spent therein, the committee rose and by their chairman, reported the same back with an amendment.

Said amendment was then concurred in, and

Said bill was ordered to be engrossed and read the third time.

On motion of Mr. McCartney,

The council adjourned.

Wednesday, March 1, 1848.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read.

Petitions, &c. were presented and referred as follows, to wit:

By Mr. Lovell:

A petition of Chauncy Kellogg and others, for an act of incorporation for a cemetery association;

Referred to the committee on the judiciary.

By Mr. White:

The account of Edward Bliss against the territory.

By Mr. Holmes:

The account of J. G. Knapp, against the territory.

By Mr. Collins:

The account of Jonathan Larkin against the territory:

Which were severally referred to the committee on territorial expenditures.

By Mr. Collins:

The petition of Wm. S. Hart for a divorce;

Which was referred to the committee on the judiciary.

By the President:

The petition of Elizabeth Doyle for a divorce;

Which was referred to the committee on the judiciary.

By Mr. Collins:

The petition of Samuel Balty for a territorial road from Monroe to Arena, on the Wisconsin river;

Which was referred to the committee on roads.

A message from the house of representatives by their chief clerk.

"Mr. President:—I am directed to present for your signature,

'An act to provide for the continuation of the Lisbon and Milwaukee plank road from Watertown to Madison;'

Which has been signed by the speaker of the house of representatives."

Said act was signed by the president.

Mr. Clark, by leave, introduced

No. 48, (C.) "A bill to divorce Acsah Case from her husband Isaac R. Case;"

Which was read the first and second times.

Mr. Collins gave notice, that on some future day, he should ask leave to introduce

"A bill to amend an act entitled 'an act to incorporate the village of Madisan;" also,

"A bill to vacate a part of Langdon street, in the village of Madison."

Mr. White, from the committee on schools, made the following report, to wit:

The committee on schools, to whom was referred a communication from O. Cole, one of the school commissioners of Snake Hollow school town, in Grant county, relative to the school section in town two, range three, west, having duly considered the subject referred to them, beg leave to

REPORT:

That by an act of the legislature, approved 31st January, 1846, the exclusive privilege for ten years was granted to James F. Chapman to "build and maintain a ferry across Grant river, opposite the town of Potosi, and across the Mississippi river from the south side of the island opposite the town of Potosi," that in pursuance of authority thus vested in him, it appears the grantee has established and put in operation the ferries contemplated by the act, across the two rivers; that the public thoroughfare laid out and established by the county commissioners of Grant county, which serves to comunicate between these two ferries runs across the island, or gore of land, that divides the two rivers at this point, and on which the sixteenth (or school) section is situated. The section being a fractional one, and bounded on the south by the Mississippi river. This school section is thus bisected by the road in question, and the landing point of the ferry on the Mississippi is consequently on the school lands.

Now the grievance of which Mr. Cole, the petitioner, complains, is the smallness of the amount paid by Mr. Chapman, the grantee, for his "easement," as technically termed in law—that is, his ferry privilege on the bank of the Mississippi; and the petitioner asks that the act of the legislature conferring this privilege may be so amended as to admit of its being leased to the highest bidder, and thus enable the school fund to realize the largest practical amount of rentals from its lands.

In further illustration of this case, your committee will state that it appears, from oral as well as written testimony, that this school section is wet marsh, inundated a portion of the year, and consequently, as Mr. Cole himself admits, "of no earthly

benefit except for the privilege of keeping a ferry upon it." And it further appears that the grantee of the ferry privilege has himself almost wholly constructed the road that communicates between his ferry on Grant river, (where he owns the land on both sides,) and that on the Mississippi, where he occupies a few rods of the school section for ferry purposes; and that the construction of this road across the school land, and the establishing and maintenance of the ferry, are the circumstances which alone give any value to this school section.

Your committee ought further to remark in this connection, that they had before them a memorial from Messrs. C. M. Hewett and Cyrus K. Lord, the other two school commissioners of Snake Hollow school town, in which those gentlemen express a desire that no amendment may be made to the law of 1846, which will operate as a virtual repeal of Mr. Chapman's privilege of maintaining the ferry in question.

And as your committee have no hesitation in saying that the prayer of the petitioner could not be granted without virtually repealing said law, and consequently rendering the grantee's ferry privilege as worthless as was the school section previously to the value that was imparted to it by his labor and enterprise, they recommend that no further action be had in this matter, and ask to be discharged from any further consideration of the subject.

PHILO WHITE, Ch'n,
A. L. COLLINS,
M. C. DARLING.

March 1, 1848.

Said report was accepted, and the committee discharged from the further consideration of the subject.

Mr. Manahan, from the committee on engrossment, reported as correctly engrossed,

No. 16, (C.) "A bill for the relief of Crawford county, relative to taxes."

Mr. Whitesides, from the majority of the select committee to which had been referred

No. 54, (H. of R.) "A bill to establish the seat of justice of the county of Marquette,"

Reported the same back, with a recommendation that it do not pass.

Mr. Turner, from the minority of said committee, made the following report, to wit:

The minority of the select committee to whom was referred house bill No. 54, "a bill to establish the seat of justice of the county of Marquette," beg leave to

REPORT:

That they have had the subject referred to them under consideration, and from all the facts presented to them in the premises, have been constrained to come to a conclusion adverse to the majority of said committee, and therefore recommend said bill to the favorable action of the council.

All of which is respectfully submitted.

JOSEPH TURNER, Ch'n,
A. L. COLLINS.

Said reports were accepted, and the committee discharged from the further consideration of the subject.

Mr. Collins, from the committee on the judiciary, made the following report, to wit:

The committee on the judiciary, to which was referred

Bill No. 12, (H. of R.) entitled "A bill to divorce Elizabeth Reynolds, from her husband, Adney B. Reynolds,"

And having fully considered the nature and merits of the application of Elizabeth Reynolds, a majority of said committee

REPORT:

That in their opinion the said bill ought to pass, and therefore report the same back to the council, and recommend the favorable action of the council thereon.

A. L. COLLINS,
J. E. HOLMES.

Mr. Holmes, from the committee on territorial expenditures, reported

No. 49, (C.) "A bill to provide for the payment to John Catlin a sum therein named;"

Which was read the first and second times.

Mr. Turner, by leave, introduced

No. 50, (C.) "A bill to authorize school district No. 1, in the town of Summit, Waukesha county, to levy a tax for the purpose of paying the expenses of building a school house;"

Which was read the first and second times.

No. 16, (C.) "A bill for the relief of Crawford county relative to taxes,"

Was read the third time, passed, and the title thereof agreed to.

No. 12, (H. of R.) "A bill to divorce Elizabeth Reynolds from her husband Adney B. Reynolds,"

Was taken up,

And the question having been put on ordering said bill to be read the third time,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling, Manahan, McCartney, Turner, and Whitesides,—7.

Those who voted in the negative, were

Messrs. Lovell, Palmer, White, and Wells, (President,)—4.

And the rules having first been suspended for that purpose,

Said bill was read the third time, passed, and the title thereof agreed to.

The rules having been suspended for that purpose,

The council then resolved itself into committee of the whole, for the consideration of the general file of bills,

Mr. Palmer in the chair.

And after some time spent therein, the committee rose, and by their chairman reported

No. 40, (C.) "A bill supplemental to an act entitled an act to incorporate the Milwaukee and Waukesha Rail Road Company, approved February 11, 1847,"

With an amendment, and

No. 54, (H. of R.) "A bill to establish the seat of justice of the county of Marquette;"

No. 39, (C.) "A bill to incorporate the Horicon and Marquette Plank Road Company;"

No. 42, (C.) "A bill amendatory of the acts to organize

school district No. 1, in Fond du Lac, for special purposes;" and

No. 41, (C.) "A bill to change the name of William Henry Hill to that of William Henry Gardner,"

Without amendments.

The amendments of the committee of the whole to bill No. 40, (C.) were then concurred in, and

Said bill and bills Nos. 39, 41 and 42, (C.) were severally ordered to be engrossed, and read a third time.

Mr. Whitesides moved that bill No. 54, (H. of R.) be indefinitely postponed.

And pending the question thereon,

On motion of Mr. Lovell,

The council adjourned till half past 2 o'clock, P. M.

HALF-PAST TWO O'CLOCK, P. M.

A message from the house of representatives by their chief clerk.

"Mr. President:—The house of representatives have concurred in the amendments of the council to

No. 41, (H. of R.) 'A bill to organize the county of Manitowoc for judicial purposes;' and

No. 48, (H. of R.) 'A bill to authorize Joseph Carley and Benjamin Brown and George C. Daniels to build and maintain certain dams across the Milwaukee river.'

And have also concurred in the first and second amendments, and have non-concurred in the third amendment of the council to

No. 36, (H. of R.) 'A bill to incorporate the Wisconsin Iron Company.'

And have passed

No. 14, (C.) 'A bill to authorize Elisha Morrow to build and maintain a dam across the Oconto river;'

No. 15, (C.) 'A bill to legalize the territorial road from Racine to Burlington;'

No. 17, (C.) 'A bill to amend an act entitled 'an act to incorporate the Milwaukee and Waukesha Rail Road Company;''

No. 4, (C.) 'A bill to incorporate the Racine and Rock River Plank Road Compnny;' and

No. 11, (C.) 'A bill relating to the village of Racine.'

The two last with amendments,

In which the concurrence of the council is requested.

And have also passed

o. 62, (H. of R.) 'A bill to dissolve the marriage contract between Wm. Farnham and Elizabeth O. Farnmam;'

No. 61, (H. of R.) 'A bill to change the name of William Williams;'

No. 63, (H. of R.) 'A bill to vacate a part of a territorial road from Burlington to Delavan;'

No. 65, (H. of R.) 'A bill to authorize the town of Salem to enumerate the children in the several school districts in said town, and for other purposes;'

No. 66, (H. of R.) "A bill for the relief of Charles W. Sampson;' and

No. 3, (H. of R.) 'Resolution authorizing the issue of territorial bonds to Holton & Goodall;'

In which the concurrence of the council is requested."

The pending question being on the motion of Mr. Whitesides to postpone indefinitely

Bill No. 54, (H. of R.)

And having been put,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Darling, Lovell, Manahan, McCartney, Palmer, White, and Whitesides,—8.

Those who voted in the negative, were

Messrs. Collins, Holmes, Turner, and Wells, (President,)—4.

A message from the Governor by George P. Delaplaine, esq., his private secretary:

"Mr. President:—I am directed by the Governor to inform you that he has on this day approved, signed, and deposited in the office of the secretary of the territory,

'An act for the relief of Henry W. Johnston;'

'An act to incorporate the trustees for the management and care of the funds and property belonging to the Protestant Episcopal church in Wisconsin;'

'An act to authorize the trustees of Plum Grove district to collect tax to build a school house;'

'An act to authorize school district No. 1, in the town of Southport to renew tax warrants.'"

Mr. Manahan, from the committee on engrossment, reported as correctly engrossed,

No. 25, (C.) "A bill for the relief of the town of Turtle, in Rock county."

Said bill was then read the third time, passed, and the title agreed to.

Mr. Lovell by leave, introduced

No. 51, (C.) "A bill to change the name of the town of Greenfield, in the county of Dane;"

Which was read the first and second times.

And also presented

Memorial of the board of visitors of the University of Wisconsin;

Which was referred to the committee on schools.

Mr. White by leave, presented

A petition of citizens of Greenfield, for a change of the name of said town;

Which was laid on the table.

Mr. Holmes, by leave, introduced

No. 52, (C.) "A bill to provide for the publication of legal and other notices in several counties in this territory;" and

No. 53, (C.) "A bill to amend an act to provide for the government of the several towns in this territory;"

Which were severally read the first and second times.

Mr. Darling, from the committee on enrollment, made the following report, to wit:

The joint committee on enrollment report as correctly enrolled,

"An act to provide for the continuation of the Lisbon and Milwaukee plank road from Watertown to Madison;" also,

That they have this day presented to the Governor, for his approval,

"An act to authorize the trustees of Plum Grove district to collect a tax to build a school house;"

"An act to authorize school district No. 1, in the town of Southport to renew tax warrants;"

"An act to incorporate the trustees for the management and care of the funds and property belonging to the Protestant Episcopal Church in Wisconsin;"

"An act for the relief of Henry W. Johnston;"

"An act to divorce John H. Hayes from his wife Mary J. Hayes;"

"An act to divorce Reuben Hurlburt from his wife Hannah Hurlburt."

Mr. Holmes moved that the council adjourn.

And the question having been put,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Holmes, Palmer, Whitesides, and Wells, (President,)—6.

Those who voted in the negative, were

Messrs. Darling, Lovell, McCartney, Turner, and White,—5.

So the council adjourned.

THURSDAY, March 2, 1848.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read.

A message from the house of representatives, by their chief clerk:

"Mr. President:—I am directed to present for your signature,

'An act to authorize Elisha Morrow to build and maintain a dam across the Oconto river;'

'An act to legalize the territorial road from Racine to Burlington;' and

'An act to amend an act, entitled 'an act to incorporate the Milwaukee and Waukesha rail road company;' '

Which have been signed by the speaker of the house of representatives.

The house of representatives have passed

'Resolution relative to the death of the Hon. John Quincy Adams;'

In which the concurrence of the council is requested.

And have appointed Messrs. Holliday, Cothren, Newell, Botkin, and Pole, of the committee on the part of the house under said resolution.

I am also directed to present for your signature,

'An act to authorise Joseph Carley, Benjamin Brown, and George C. Daniels, to build and maintain certain dams across the Milwaukee river;'

'An act to exempt the Methodist Episcopal church, in the city of Milwaukee, from taxation;'

'An act to organize the county of Manitowoc for judicial purposes;'

'An act to incorporate the Wisconsin medical college;'

'An act to divorce Elizabeth Reynolds from her husband, Adney B. Reynolds;'

'An act to repeal the sixth section of an act, entitled 'an act to repeal the fourth section of an act to organize the county of St. Croix, and to legalize the acts of certain officers in said county, and for other purposes;' ' and

'Memorial to congress, praying that the military reservation on the east side of the Mississippi river, opposite to Fort Snelling, may be raised, and the rights of pre-emption granted to the former settlers thereon;'

Which have been signed by the speaker of the house of representatives.

The Governor has notified the house of representatives that

ho did, on yesterday, approve, sign, and deposite in the office of the secretary of the territory.

'An act to divorce Reuben Hurlbut from his wife, Hannah Hurlbut ;'

'An act to divorce John H. Hays from his wife, Mary J. Hays ;' and

'An act to provide for the construction of the Lisbon and Milwaukee plank road from Watertown to Madison."

Said acts were severally signed by the president.

Mr. Holmes moved to take from the table the resolution of Mr. White, relative to the business of the present session of the legislature ;

Which was agreed to.

Said resolution was then adopted.

Petitions &c. were presented and referred, as follows:

By Mr. Turner:

The account of John Catlin, secretary of the territory;

Referred to the committee on legislative expenses.

By Mr. Holmes:

A petition of 71 citizens of Jefferson county for a plank road;

Referred to the committee on roads: also,

A petition of the citizens of Watertown, Jefferson county, asking for authority to levy a special tax ;

Referred to the committee on territorial afiairs,

Mr. Collins, by leave, introdueed

No. 54, (C.) "A bill to amend an act, entitled 'an act to incorporate the village of Madison ;" and

No. 55, (C.) "A bill to vacate a part of Langdon street, in the town of Madison ,"

Which were severally read the first and second times.

Mr. Manahan, from the committee on engrossed bills, reported as correctly engrossed

No. 39, (C,) "A bill to incorporate the Horicon and Marquette plank road company ;"

No. 40, (C.) "A bill supplemental to an act, entitled 'an act to incorporate the Milwaukee and Waukesha rail road company,' approved February 11, 1847 ;" also

No. 41, (C.) "A bill to change the name of William Henry Hill to that of William Henry Gardner;" and

No. 42, (C. "A bill amendatory of the acts to organize school district No. 1, in Fond du Lac, for special purposes."

Mr. Palmer, from the committee on enrolled bills, made the following report, to wit:

The joint committee on enrolled bills have instructed me to report as correctly enrolled,

"An act to repeal the sixth section of an act, entitled 'an act to repeal the fourth section of an act, entitled an act to organize the county of St. Croix, and to legalize the acts of certain officers in said county,' and for other purposes;"

"An act to incorporate the Wisconsin medical college:"

"An act to organize the county of Manitowoc for judicial purposes;"

"An act to exempt the Methodist Episcopal church, in the city of Milwaukee, from taxation;"

"An act to divorce Elizabeth Reynolds from her husband, Adney B. Reynolds;

"An act to authorize Joseph Carley, Benjamin Brown, and George C. Daniels, to build and maintain certain dams across the Milwaukee river;"

"Memorial to congress, praying that the military reservation on the east side of the Mississippi river, opposite to Fort Snelling, may be raised, and the right of pre-emption granted to former settlers thereon;"

"An act to legalize the territorial road from Racine to Burlington;

"An act to amend an act entitled 'an act to incorporate the Milwaukee and Waukesha railroad company;'"

"An act to authorise Elisha Morrow to build and maintain a dam across the Oconto river."

Mr. Phelps, from the committee on roads, to whom had been referred

No. 29, (H. of R.) "A bill to provide for laying out a territorial road from Beloit, in the county of Rock, to White Oak Springs, in the county of La Fayette,"

Reported the same back, with a recommendation that the said bill do pass.

Mr. Holmes, from the committee on the judiciary, made the following

REPORT:

The committee on the judiciary, to whom was referred

The petition of Jane Ann Charter to be divorced from her husband, Henry Charter,

Having had the subject under consideration, respectfully report: that from the evidence produced, they are of opinion that this is one of those cases in which no relief is provided for by the existing laws of the territory, and therefore recommend it to the favorable consideration of the council.

All of which is respectfully submitted.

J. E. HOLMES,
A. L. COLLINS.

Also reported bill

No. 56, (C.) "A bill for the relief of Jane Ann Charter;"

Which was read the first and second times.

Mr. Darling, by leave, introduced

No. 57. (C.) "A bill to incorporate the Sheboygan and Fond du Lac road company;"

Which was read the first and second times.

The message from the house of representatives was then taken up, and

No. 62, (H. of R.) "A bill to dissolve the marriage contract between William Farnham and Elizabeth O. Farnham,"

Was read the first and second times.

On motion of Mr. Lovell,

Said bill was referred to the committee on territorial affairs.

Bills Nos. 61, (H. of R.) "A bill to change the name of William Williams;" and

No. 63, (H, of R.) "A bill to vacate a part of a territorial road from Burlington to Delavan,"

Were severally read the first and second times.

On motion of Mr. White,

Bill No. 63, (H. of R.) was referred to the committee on roads.

Bills Nos. 65, (H. of R.) "A bill to authorise the town of

Salem to enumerate the children in the several school districts in said town, and for other purposes ;"

No. 66, (H. of R.) "A bill for the relief of Charles W. Sampson,"

Were severally read the first and second times.

On motion of Mr. Manahan,

Bill No. 66, (H. of R.) was referred to the committee on territorial affairs.

Resolution No. 3, (H. of R.) "Resolution authorising the issue of territorial bonds to Holton and Goodall,"

Was read the first and second times.

Resolution relative to the death of the Hon. John Q. Adams,

Was then taken up.

And the question having been put on the passage of the same,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Collins, Darling, Holmes, Lovell, Manahan, McCartney, Palmer, Phelps, Turner, White, Whitesides, and Wells, (President,)—12.

None voting in the negative.

The president announced the appointment of the following committee on the part of the council under said resolution :

Messrs. Collins, Darling, and Lovell.

No. 11, (C.) "A bill relative to the village of Racine,"

Was then taken up.

And the question being in the concurrence of the amendments of the house,

And the same having been put,

It was decided in the affirmative.

No. 4, (C.) "A bill to incorporate the Racine and Rock river plank road company,"

Was then taken up.

And the question being on the concurring in the amendments of the house thereto,

Mr. Palmer called for a division of the council on said amendment.

The question was then put on concurring in the first amendment of the house, which was,

Strike out the name of "John Acker," in the second and third lines of the first section, and insert "Samuel C. Rusk,"

And was decided in the negative.

The 2d, 3d, 4th, and 6th amendments of the house were then concurred in.

The question having been put on the 5th amendment, which was to insert as section 12,

"In case the owner or owners of any materials as provided in section number ten, desired for the construction of said road, do not consent to the taking thereof, the company may apply to any justice of the peace not interested in said road, who shall appoint three disinterested persons to apprise the damage to said owner or owners for the taking thereof. And in no such case shall any materials be taken, unless said persons shall first decide that the taking thereof is necessary, and that the same are not essentially neeessary to the owner or owners thereof, for his or their private and proper use, and an appeal may be taken from the assessment of damage which said persons may make, and the cost of said appeal shall be determined in the same manner as is provided in the preceding section."

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Palmer, Phelps, White, and Wells, (President,)—6.

Those who voted in the negative, were

Messrs. Darling, Holmes, Lovell, Manahan, McCartney, Turner, and Whitesides,—7.

No. 36, (H. of R.) "A bill to incorporate the Wisconsin Iron Company,"

Was taken up,

And the question having been put,

"Will the council recede from their third amendment to said bill?"

It was decided in the negative.

Mr. Lovell, from the committee on the judiciary, to whom had been referred bill No 29, (C.) and bill No. 19, (H. of R.) reported the same back, and also reported as a substitute

No. 58, (C.) "A bill to provide for the incorporation of cemetary associations;"

Which was read the first and second times.

On motion of Mr. Darling,

Bills Nos. 19, (H. of R.) and No. 29, (C.) were laid on the table.

No. 42, (C.) "A bill amendatory of the act to organize school district No. 1, in Fond du Lac, for special purposes;"

No. 41, (C.) "A bill to change the name of William Henry Hill to that of William Henry Gardner;"

No. 40, (C.) "A bill supplementary to an act entitled 'an act to incorporate the Milwaukee and Waukesha rail road company,' approved February 11th, 1847," and

No. 39, (C.) "A bill to incorporate the Horicon and Marquette plank road company;"

Were severally read the third time, passed, and the titles thereof agreed to.

And the rules having been first suspended for that purpose,

The council then resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Lovell in the chair;

And after some time spent therein, the committee rose, and by their chairman reported

No. 3, (H. of R.) "Resolution authorizing the issue of territorial bonds to Holton & Goodall;"

No. 65, (H. of R.) "A bill to authorize the town of Salem to enumerate the children in the several school districts in said town, and for other purposes;"

No. 61, (H. of R.) "A bill to change the name of William Williams;"

No. 45, (C.) "A bill to provide for the publication of a general index of the session laws from 1839 to 1848, inclusive, and to pay for preparing the same;"

No. 46, (C.) "A bill to amend an act to authorize a further sale of canal lands, and for other purposes, and the acts amendatory thereto;"

No. 47, (C.) 'A bill to amend an act to provide for the punishment of offences against private property;'

No. 48, (C.) 'A bill to divorce Acsah Case from her husband Isaac R. Case;'

No. 49, (C.) "A bill to provide for the payment to John Catlin, a sum therein named:

No. 50, (C.) "A bill to authorize school district No. 1, in the town of Summit, Waukesha county, to levy a tax for the purpose of paying the expenses of building a school house;"

No. 51, (C.) "A bill to change the name of the town of Greenfield, in the county of Dane," and

No. 53, (C.) "A bill to amend an act to provide for the government of the several towns in this territory,"

Without amendment, and

No. 44, (C.) "A bill to incorporate the Milwaukee and Waterford plank road company;"

No. 52, (C.) "A bill to provide for the publication of legal and other notices in several counties of this territory,"

With amendments.

The amendments of the committee of the whole to said bills were concurred in; and said bills and Nos. 45, 47, 49, 50, and 51, (C.) were severally ordered to be engrossed and read a third time.

Mr. Holmes moved that bill No. 46, (C.) be laid on the table.

Which was agreed to.

On motion of Mr. Manahan,

The further consideration of bill No. 48, (C.) was postponed until to-morrow.

On motion of Mr. Holmes,

Resolution No. 3, (H. of R.) was referred to the committee on territorial affairs.

No. 61, (H. of R.) "A bill to change the name of William Willams,"

Was taken up, and the question having been put on ordering said bill to be read the third time,

It was decided in the negative.

So the said bill was rejected.

Bill No. 65, (H. of R.) was ordered to be read the third time, and

The rules having been suspended for that purpose,

Said bill was read the third time.

Mr. Darling moved that said bill be re-committed to the committee of the whole;

Which was agreed to.

Bill No. 53, (C.) was then taken up, when

Mr. Lovell moved to amend the same by striking out, in the first section and sixth line, the words "their name of office," and insert, "the corporate name of such new district," and also strike out in the seventh line, the words "trustees of such;"

Which was agreed to.

Said bill was then ordered to be engrossed and read the third time.

No. 29, (H. of R.) "A bill to provide for laying out a territorial road from Beloit, in the county of Rock, to White Oak Springs in the county of La Fayette."

Was taken up, and ordered to be read a third time.

And the rules having been suspended.

Said bill was read the third time, passed, and the title thereof agreed to.

On motion of Mr. Lovell,

The council took a recess until half-past two o'clock, P. M.

HALF PAST TWO O'CLOCK, P. M.

A message from the house of representatives, by their chief clerk:

"Mr. President:—The house of representatives have passed,

No. 1, (H. of R.) 'Memorial to congress on the subject of boundaries;'

No. 37, (H. of R.) 'A bill to provide for the support of the poor;'

No. 43, (H. of R.) 'A bill to organize certain towns therein named;'

No. 59, (H. of R.) 'A bill to incorporate the Honey Creek Cemetery Company,' and

No. 30, (H. of R.) 'A bill for an act for the relief of Nathaniel B. Holman.'

In which the concurrence of the council is requested."

The message from the house of representatives was then taken up.

Bills Nos. 30, 43, 37 and 59, (H. of R.) were severally read the first and second times.

On motion of Mr. White,

No. 59, (H. of R.) was laid on the table.

No. 1, memorial (H. of R.) was read the first and second times.

On motion of Mr. Darling,

Bill No. 43, (H. of R.) was referred to the committee on towns.

The rules having been suspended for that purpose,

The council then resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. White in the chair.

And after some time spent therein, the committee rose, and by their chairman reported bills

No. 65, (H. of R.) "A bill to authorize the town of Salem to enumerate the children in the several school districts in said town, and for other purposes," and

No. 43, (C.) "A bill to incorporate the Milwaukee and Rock River Plank Road Company,"

With amendments, and

Memorial No. 1, (H. of R.) and bills Nos. 30 and 37, (H. of R.)

Without amendment.

The amendments of the committee of the whole to bills No. 65, (H. of R.) and 43, (C.) were concurred in, and

Bills Nos. 37 and 65, (H. of R.) were severally ordered to be read the third time.

The rules having been first suspended for that purpose,

Bill No. 65, (H. of R.) was read the third time, passed,

And the question being on agreeing to the title,

Mr. Darling moved to amend the same by striking out all after the word "bill," and insert "to authorize the trustees of the several school districts in the towns of Salem and Fond du Lac to make returns of the children of their respective districts, and for other purposes;"

Which was agreed to.

The title, as amended, was then agreed to.

Memorial No. 1, (H. of R.) was then taken up.

And the question having been put on ordering said memorial to be read the third time,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Holmes, Whitesides, and Wells, (President,) —4.

Those who voted in the negative, were

Messrs. Collins, Darling, Lovell, Manahan, McCartney, Palmer, Phelps, Turner, and White,—9.

On motion of Mr. Turner.

Bill No. 3, (H. of R.) was referred to a select committee of three.

The president announced the appointment of said committee to whom said bill was referred, to wit:

Messrs. Turner, Holmes, and Whitesides.

Mr. Palmer, by leave, introduced

No. 59, (C.) "A bill to authorize Cicero Comstock and Charles H. Williams to build and maintain a dam across the Milwaukee river;"

Which was read the first and second times.

Mr. Darling, from the committee on enrolled bills, made the following report, to wit:

"The committee on enrolled bills report, that they have this day presented to the Governor for his approval,

'An act to authorize Joseph Carley and Benjamin Brown and George C. Daniels to build and maintain a dam across the Milwaukee river;'

'An act to exempt the Methodist Episcopal church in the city of Milwaukee, from taxation;'

'An act to legalize the territorial road from Racine to Burlington;'

'An act to authorize Elisha Morrow to build and maintain a dam across the Oconto river;'

'An act to amend an act entitled 'an act to incorporate the Milwaukee and Waukesha Rail Road Company;'

'An act to organize the county of Manitowoc for judicial purposes;'

'An act to divorce Elizabeth Reynolds from her husband Adney B. Reynolds;'

'An act to repeal the sixth section of an act entitled 'an act to repeal the fourth section of an act entitled an act to organize the county of St. Croix, and to legalize the acts of certain officers in said county, and for other purposes,' '

'An act to incorporate the Wisconsin Medical College;' and

'Memorial to congress praying that the military reservation on the east side of the Mississippi river, opposite to Fort Snelling, may be raised, and the right of pre-emption granted to former settlers thereon.' "

Mr. Manahan, from the committee on engrossment, reported as correctly engrossed, bill No. 45, (C.)

On motion of Mr. Turner,

The council adjourned.

FRIDAY, March 3, 1848.

Prayer by the Rev. Mr. Lord.

The reading of the journal of yesterday was dispensed with.

Petitions, &c., were presented and referred, as follows, to wit:

By Mr. McCartney:

A petition of the inhabitants of Platte town school district No. 2, in Platte town, to collect a tax to build a school house;

Which was referred to the committee on schools.

By Mr. Lovell:

The account of James D. Reymert, for printing; also,

The account of Wallace Mygatt for printing the constitution;

Which were severally referred to the committee on the judiciary.

By Mr. Palmer:

A petition of Guy Stoughton and 25 other citizens of Rock county, for a territorial road from Janesville to Columbus;

Referred to the committee on roads.

By Mr. Darling:

A petition of Albert G. Ellis and 48 others, praying for the passage of an act incorporating the Winnebago Lake and Fox river rail road company;

Referred to the committee on incorporations.

By Mr. Whitesides:

A petition of Edward Stiles, of Fairplay, Grant county, with accompanying documents, praying for a divorce from his wife Rebecca Stiles;

Referred to the committee on the judiciary.

By Mr. White:

A remonstrance against dividing the town of Yorkville;

Referred to the committee on county and township organization; also,

Asked leave to withdraw a petition from certain citizens of Yorkville, relative to a road.

Leave was granted.

By Mr. Collins:

A petition of 94 inhabitants of Dane and Columbia counties for a territorial road from Madison to Dekora;

Referred to the committee on roads.

On motion of Mr. Manahan,

No. 3, (H. of R.) "Resolution authorizing the issue of territorial bonds to Holton & Goodall,"

Was referred to the committee on territorial expenditures.

Mr. Whitesides gave notice that he should on some future day ask leave to introduce

"A bill to supply the territorial library with certain laws, reports and other books."

Mr. Lovell, by leave introduced

No. 60, (C.) "A bill to amend an act entitled an act to incorporate the village of Southport;" and

No. 61, (C.) "A bill to amend an act entitled an act to amend

an act entitled an act to provide for the government of the several towns in this territory and for the revision of county government," approved April 15, 1843;

Which were severally read the first and second times.

Mr. Darling gave notice that he should on some future day ask leave to introduce

A bill to legalize the acts of the school commissioners of the town of Metomon.

Mr. Clark, from the committee on territorial affairs, made the following report, to wit:

The committee on territorial affairs to whom was referred bill No. 31, (H. of R.) "An act for the relief of John Hooper, and Lucinda Hooper," would respectfully

REPORT:

That they have had the same under consideration, and after carefully examining the testimony in the case before them, do not deem the evidence presented, sufficiently clear to authorize them to form a decisive opinion in the premises, and have deemed it best to report the bill back for the further consideration of the council, and ask to be discharged from the further consideration of the subject.

The report was accepted, and the committee was discharged from the further consideration of the subject.

Mr. Collins, from the committee on the judiciary, reported

No. 62, (C.) "A bill to legalize certain acts of the supervisors of the town of Madison."

Mr. Holmes, from the same committee, reported

No. 63, (C.) "A bill to divorce William Livingston Hart from his wife Eliza Hart;"

Which were severally read the first and second times.

Mr. Palmer, from the committee on enrolled bills, reported as correctly enrolled,

"An act to provide for laying out a territorial road from Beloit, in the county of Rock, to White Oak Springs, in the county of La Fayette."

Mr. Lovell, from the committee on the judiciary, reported

No. 21, (H. of R.) "A bill in relation to school district No. 10, in the towns of Waukesha and Pewaukee,"

With an amendment.

Said bill was read the second time.

And also reported,

No. 57, (H. of R.) "A bill to incorporate the Milwaukee Cemetery Association in the city of Milwaukee;"

Which was laid on the table.

And also reported back,

A petition of 56 lumbermen and others, for a special law in relation to mill dams on Wisconsin river;

And recommended that no action be had thereon.

No. 37, (H. of R.) "A bill to provide for the support of the poor,"

Was read the third time, passed, and the title thereof agreed to.

No. 61, (H. of R.) "A bill for the relief of John Hooper and Lucinda Hooper,"

Was taken up,

And the question having been put on the passage of the same,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Collins, and Holmes,—2.

Those who voted in the negative, were

Messrs. Clark, Darling, Lovell, Manahan, McCartney, Palmer, Phelps, Turner, White, and Wells, (President,)—10.

No. 45, (C.) "A bill to provide for the publication of a general index of the session laws from 1839 to 1848 inclusive, and to pay for preparing the same,"

Was read the third time, when

Mr. Clark moved to fill the blank with six hundred and fifty dollars;

Which was agreed to.

Said bill was then passed, and the title thereof agreed to.

Mr. Manahan, from the committee on engrossed bills, reported as correctly engrossed,

No. 51, (C.) "A bill to change the name of the town of Greenfield, in the county of Dane;"

No. 47, (C.) "A bill to amend an act to provide for the punishment of offences against private property;"

No. 53, (C.) "A bill to amend an act to provide for the government of the several towns in this territory;"

No. 49, (C.) "A bill to provide for the payment to John Catlin a sum therein named;"

No. 52, (C.) "A bill to provide for the publication of legal and other notices in several counties in this territory;" and

No. 50, (C.) "A bill to authorize school district No. 1, in the town of Summit, Waukesha county, to levy a tax for the purpose of paying the expenses of building a school house."

Bill No. 51, (C.) was then read the third time.

Mr. Collins asked the unanimous consent of the council to strike out Sparta, and insert Wexford.

And pending the question thereon,

Mr. Lovell moved that said bill be referred to a select committee of three, consisting of Messrs. Collins, Lovell and McCartney;

Which was agreed to.

Bills Nos. 53, 47, 49, 52 and 50, (C.)

Were severally read the third time, passed, and the titles thereof agreed to.

On motion of Mr. Turner,

The vote on the passage of bill No. 50, (C.) was re-considered.

Mr. Manahan moved to re-commit said bill to the committee on engrossed bills;

Which was agreed to.

No. 48, (C.) "A bill to divorce Acsah Case from her husband Isaac R. Case,"

Was then taken up,

And the question was then put on ordering said bill to be engrossed and read a third time,

And was decided in the affirmative.

The President laid before the council, the proceedings of a meeting of the citizens of Milwaukee, relative to the claim of the canal company;

Which was read, and laid upon the table.

A message from the house of representatives by Mr. Abbey, assistant clerk:

Mr. President:—The house of representatives have passed

No. 18, (C.) "A bill to legalize certain acts of the supervisors of the town of Port Washington, for the year 1846;"

No. 19, (C.) "A bill to annex a certain portion of the town of Sullivan, in the county of Jefferson, to the town of Jefferson;" and

Resolution of the council relative to the business of the present session of the legislature.

And have receded from the vote of non concurrence, and have concurred in the third amendment of the council to

No. 36, (H. of R.) 'A bill to incorporate the Wisconsin Iron Company.'

And have also passed

No. 15, (H. of R.) 'A bill relative to administrators and judges of probate;'

No. 35, (H. of R.) 'A bill to authorize the construction of a dam across the Peckatonica river in Green county;'

No. 46, (H. of R.) 'A bill to provide for the construction of a bridge across Platte river, in Grant county;'

No. 47, (H. of R.) 'A bill to incorporate the Sinsinawa Mound College, and to exempt college property from taxation;'

No. 64, (H. of R.) 'A bill in relation to the survey of lumber and measurement of logs;'

No. 69, (H. of R.) 'A bill to authorize Leonard Humphrey to add Ravella to his name;' and

No. 70, (H. of R.) 'A bill to authorize an alteration in a territorial road in Washington county;'

In which the concurrence of the council is requested."

The rules having been first suspended for that purpose;

The council then resolved itself into committee of the whole, for the consideration of the general file of bills;

Mr. Collins in the chair.

And after some time spent therein, the committee rose, and by their chairman reported

No. 54, (C.) "A bill to amend an act entitled 'an act to incorporate the village of Madison, and for other purposes;'"

No. 56, (C.) "A bill for the relief of Jane Ann Charter;"

No. 55, (C.) "A bill to vacate a part of Langdon street in the town of Madison;"

No. 59, (C.) "A bill to authorize Cicero Comstock and Charles H. Williams to build and maintain a dam across the Milwaukee river;"

Without amendments. And

No. 58, (C.) "A bill to provide for the incorporation of cemetery associations;" and

No. 21, (H. of R.) "A bill in relation to school district No. 10, in the town of Waukesha and Pewaukee;"

With amendments to each.

Bills Nos. 54, 55, and 59, (C.)

Were severally ordered to be engrossed and read the third time.

The amendments to bill No. 21, (H. of R.) were then concurred in, and said bill was ordered to be read a third time.

The question was then put on ordering bill No. 56, (C.) to be engrossed and read the third time;

And was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling, Holmes, Manahan, McCartney, Phelps, Turner, Whitesides, and Wells, (President,)—10.

Those who voted in the negative were,

Messrs. Lovell, Palmer, and White,—3.

The question being on concurring in the amendment of the committee to Bill No. 58, (C.)

Mr. Lovell moved to amend the seventh section by inserting the word "city," after "town;"

Which was agreed to.

The amendments of the committee of the whole, as amended, were then concurred in, and

Said bill was ordered to be engrossed and read the third time.

Mr. Turner by leave, introduced

No. 67, (C.) "A bill to repeal an act entitled an act to incorporate the village of Prairieville, approved February 3, 1846, and all the acts amendatory thereto."

Mr. Darling, by leave, introduced

No. 68, (C.) "A bill to legalize the official acts of the school commissioners of the town of Metomon;"

Which were severally read the first and second times.

On motion of Mr. Palmer,

The council took a recess untill half past 2 o'clock, P. M.

HALF-PAST TWO O'CLOCK, P. M.

The message of the house of representatives was taken up, and

Bills Nos. 15, 35, 46, 47, 64, 69 and 70, (H. of R.)

Were severally read the first and second times.

The rules having first been suspended for that purpose,

The council then resolved itself into committee of the whole, for the consideration of the general file of bills,

Mr. Palmer in the chair.

And after some time spent therein, the committee rose, and by their chairman reported

No. 57, (C.) "A bill to incorporate the Sheboygan and Fond du Lac Road Company,"

With amendments, and

No. 47, (H. of R.) "A bill to incorporate the Sinsinawa Mound College, and to exempt college property from taxation;"

No. 46, (H. of R.) "A bill to provide for the construction of a bridge across Platte river, in Grant county;"

No. 64, (H. of R.) "A bill in relation to the survey of lumber and measurement of logs;"

No. 69, (H. of R.) "A bill to authorize Leonard Humphrey to add Ravella to his name," and

No. 70, (H. of R.) "A bill to authorize an alteration in a territorial road in Washington county,"

Without amendment.

The amendments of the committee of the whole to

Bill No. 57, (C.) were then concurred in, and said bill ordered to be engrossed and read the third time.

On motion of Mr. Manahan,

Bill No. 47, (H. of R.) was referred to a select committee, consisting of

Messrs. Manahan, Darling and McCartney.

Bills Nos. 64, 46 and 70, (H. of R.) were severally ordered to be read the third time.

The question being on ordering bill No. 69, (H. of R.) to be read the third time,

And the same having been put,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Darling, Holmes, Lovell, Manahan, McCartney, Palmer, Phelps, Turner, White and Whitesides,—11.

Those who voted in the negative, were

Messrs. Collins, and Wells, (President,)—2.

A message from the Governor, by George P. Delaplaine, esq., his private secretary:

"Mr. President—I am directed by the governor to inform you that he did, on the 2d inst., approve, sign, and deposite in the office of the secretary of the territory,

'An act to authorise Elisha Morrow to build and maintain a dam across the Oconto river;'

'An act to legalize the territorial road from Racine to Burlington;' and

'An act to amend an act entitled 'an act to incorporate the Milwaukee and Waukesha Rail Road Company.'"

Mr. Lovell moved that the vote rejecting

No. 61, (H. of R.) "A bill to change the name of William Williams,"

Be re-considered;

Which motion was laid on the table.

Mr. Lovell moved that the house of representatives be requested to return said bill for the further action of the council;

Which was agreed to.

Mr. Lovell, from the committee on the judiciary, reported

No. 69, (C.) "A bill in relation to a highway in the county of Racine;"

Which was read the first and second times.

And the rules having been suspended,

Bills Nos. 35, 70, 64 and 46, (H. of R.)

Were severally read the third time, passed, and the titles thereof agreed to.

Bill No. 69, (H. of R.) was read the third time,

And the question having been put on the passage of the same,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Darling, Holmes, Lovell, Manahan, McCartney, Palmer, Phelps, Turner, and White,—10.

Those who voted in the negative were,

Messrs. Collins, Whitesides, and Wells, (President,)—3.

On motion of Mr. Holmes,

No. 46, (C.) "A bill to amend an act to authorize a further sale of canal lands and for other purposes, and the act amendatory thereto,"

Was taken up, when

Mr. Holmes moved to amend the same by adding to section 5,

"And such other compensation for the duties required under this act as may hereafter be determined by the legislature of the territory or state of Wisconsin;"

Also, to strike out the words "register of canal lands," where they occur in the first line of sec. 6, and insert as follows: "It shall be the duty of the register of canal lands to procure convenient record books, and to transcribe therein the registry of all lands sold under the provisions of the several acts providing for the sale of canal lands, in a convenient form, and shall prepare an index thereto; and said register;"

Which was agreed to.

Said bill was then ordered to be engrossed and read a third time.

On motion of Mr. Phelps,

The council adjourned.

SATURDAY, March 4, 1848.

Prayer by the Rev. Mr. Lord.

The reading of the journal of yesterday was dispensed with.

Petitions, &c. were presented and referred as follows:

By Mr. Clark:

A petition of J. C. Fairchild, in relation to territorial scrip;

Referred to the committee on territorial expenditures.

Mr. Whitesides, by leave, introduced

No. 70, (C.) "A bill to supply the territorial library with certain laws, reports and other books;"

Which was read the first and second times.

Mr. White, from the committee on schools, to whom that subject had been referred, reported

No. 71, (C.) "A bill to authorize Platte town school district to raise money to build a school house;"

Which was read the first and second times.

Mr. Collins, from the committee on the judiciary, to which the same had been referred, reported

A petition of citizens of Watertown, Jefferson county, asking for authority to levy a special tax,

With a recommendation that it be referred to the committee on incorporations;

Which was adopted.

Mr. Manahan, from the committee on engrossed bills, reported as correctly engrossed,

No. 46, (C.) "A bill to amend an act to authorize a further sale of canal lands, and for other purposes, and the act amendatory thereto;"

No. 48, (C.) "A bill to divorce Acsah Case from her husband, Isaac R. Case;"

No. 50, (C.) "A bill to authorize school district No. 1, in the town of Summit, Waukesha county, to levy a tax for the purposes of paying the expenses of building a school house;"

No. 55, (C.) "A bill to vacate a part of Langdon street, in the town of Madison;"

No. 56, (C.) "A bill for the relief of Jane Ann Charter;"

No. 54, (C.) "A bill to amend an act, entitled 'an act to incorporate the village of Madison, and for other purposes;'"

No. 43, (C.) "A bill to incorporate the Milwaukee river and Rock river plank road company;"

No. 44, (C.) "A bill to incorporate the Milwaukee river and Waterford plank road company;"

No. 57, (C.) "A bill to incorporate the Sheboygan and Fond du Lac road company;" and

No. 59, (C.) "A bill to authorize Cicero Comstock and Chas. H. Williams, to build and maintain a dam across the Milwaukee river."

Mr. Darling, from the committee on county and township organization, to which the same had been referred, reported

No. 72, (C.) "A bill to organize certain towns therein named;"

Which was read the first and second times.

Also, from the same committee, to which the same had been referred, reported

No. 43, (H. of R.) "A bill to organize certain towns therein named,"

With amendments.

Said bill was then read the second time.

Mr. Collins, from the committee on the judiciary, made the following report, to wit:

The committee on the judiciary, to which was referred the petition of divers residents of the county bordering upon the Lemenwier river, praying that a certain tract of country lying upon said river may be attached to the county of Sauk for judicial purposes, and also the memorial of the board of supervisors of Sauk county, upon the same subject, have given the subject due consideration, and beg leave to

REPORT:

That in their opinion it is inexpedient to grant specifically the prayer of said petitioners, and memorialists, for the reason, that

upon an examination of all the acts to be found on the subject of erecting and organizing counties, they find that but a small and inconsiderable portion of the territory described in said petition, has been by any law, said Wisconsin because detached from Michigan, apportioned or attached to any county, but the same remains a part of the county of Crawford as organized by the legislature of Michigan, when the present territory of Wisconsin formed a part of the territory of Michigan. And that so far as the committee can gain information, the county of Crawford has not, nor has any other county since the organization of Wisconsin territory, exercised any jurisdiction or control over the section of country mentioned and described in the petition. This circumstance is doubtless owing to the fact that the tract of country alluded to has not been, if at all, to any considerable extent, surveyed and put into market, although for lumbering purposes principally, much of it has for some time been occupied.

In the opinion of the committee, the interests of the petitioners taking all things into consideration, would be best promoted by erecting a new county, embracing the tract of country described in the petition, to be attached to the county of Sauk for all purposes, and therefore present a bill for that purpose.

F. S. LOVELL,
A. L. COLLINS.

And also from the same committee, reported

No. 73, (C.) "A bill to establish the county of Adams;"

Which was read the first and second times.

Mr. Clark from the committee on territorial affairs, to whom the same had been referred, reported back

No. 62, (H. of R.) "A bill to legalize certain acts of the supervisors of the town of Madison;"

With a recommendation that the same do pass.

Mr. Darling from the committee on enrolled bills, reported as correctly enrolled,

"An act to legalize the certain acts of the supervisors of the town of Port Washington;" and

"An act to annex a certain portion of the town of Sullivan in the county of Jefferson, to the town of Jefferson."

Mr. Phelps, from the committee on roads, to whom the same had been referred, reported

No. 63, (H. of R.) 'A bill to vacate a part of a territorial road from Burlington to Racine;"

With a recommendation that the same do pass.

Mr. White from the minority of said committee, made the following report, to wit:

As the minority of the committee on roads, to whom was referred the bill from the house of representatives, vacating a section of the road leading from Burlington to Delavan, the undersigned dissents from the report of the majority of said committee in favor of the passage of the bill, for the reason that there are many and important interests dependent upon the continuance of said road in its whole extent. Among these reasons for its continuance, is the fact of its being a post route; and should that part of it which has become obnoxious to some of the inhabitants in the neighborhood be vacated, the post office at Lyons will have to be reached from the east by a circuitous route. For these and other reasons, I cannot concur with the majority of the committee in recommending the passage of the bill.

PHILO WHITE.

March 3d, 1848.

Mr. Turner, from the select committee to whom was referred No. 30, (H. of R.) "A bill for an act for the relief of Nathaniel B. Holmes, reported

That they have had the subject referred to them under consideration, and recommend said bill to the favorable action of the council.

All of which is respectfully submitted,

JOSEPH TURNER, Ch'n.

Mr. Palmer from the committee on incorporations to whom that subject had been referred, reported

No. 74, (C.) "A bill to incorporate the Winnebago Lake and Fox river company;"

Which was read the first and second times.

Mr. Holmes from the committee to whom that subject had been referred, made the following report, to wit:

[*See Appendix.*]

Said report was laid on the table, and 200 extra copies ordered printed.

Mr. Holmes from the same committee, also reported

No. 4, (C.) "Resolution relating to outstanding bonds;"

Which was read the first and second times.

Mr. Darling from the committee on enrolled bills, reported as correctly enrolled

"An act relating to the village of Racine."

Mr. Clark, from the committee on territorial affairs,-to whom that subject had been referred, made the following report, to wit:

The committee on territorial affairs, to whom was referred No. 66, (H. of R.) a bill for the relief of Charles W. Sampson, would respectfully

REPORT:

That they have, after patiently investigating the voluminous testimony laid before them by the petitioners, been enabled to arrive at the following facts, which are well authenticated and amply sustained, viz.: That the petitioner, Charles W. Sampson, is now 25 years of age, and is a resident of the county of Waukesha, in the territory of Wisconsin; that he has resided in said county for the term of fifteen months; that on the 25th day of September, 1842, he was legally married to Jane Wingrut, in the county of Wayne, and state of New York; that about twenty-five months after said marriage, he removed with his wife to the county of Genesee, in the state of Michigan; and that after they had resided in said county about eight months his wife became very *intimate* with, and evidently greatly attached to one Maxwell Thompson, who resided in said place, with whom, (to use the language of the wife of the petitioner,) she would "set up nights and spark it;" and it appears further by the testimony, that this "setting up nights and sparking" with the said Maxwell Thompson grew into an *intimacy* and an illicit intercourse, and was finally consummated by adultery, and finally a total abandonment of the unhappy and heart-broken husband, on the part of the wife; and that she is now living at the house, and with, the said Maxwell Thmpson, in a state of concubinage; he, the said Thompson, not being married. It appears further, by the testimony before the committee, that the petitioner was always peculiarly and ardently attached to

his wife, Jane Sampson—was extremely kind and pleasing to her during all her abberations from conjugal fidelity and virtue, and gently used all the persuasive means in his power to reclaim her, and bring her back to virtue and happiness; and after he found that it was all in vain, that she was forever lost to him and to virtue, he fled to this country a broken-hearted and disconsolate man, and now seeks of this honorable body the only relief that can be afforded him, a dissolution of the legal bonds that bind him to her.

It appears further, by the testimony before the committee, that the said Jane Sampson possesses the most singular compound of *impudence* and *good nature* that was ever encircled by a fillet-string or wrapt up under the folds of a petticoat. She very good naturedly tells her husband that she "loves Maxwell Thompson better than she ever loved him," and that she shall never live with him, the said Charles W. Sampson, any more, in any place or under any circumstances, and advises him to take it good-naturedly, and not blame her paramour, the said Maxwell Thompson, for "she is the only one to blame" for the wrong that they together may have done him, the said Sampson. She says "she regrets, on Charley's account," that things are circumstanced just as they are, but says the *thing has been done*, and hopes Charley will be reconciled to it.

In view of all these aggravating circumstances, your committee are constrained to recommend the bill before them to the favorable consideration of the council.

HENRY CLARK, Ch'n.

Mr. Darling gave notice that he should on some future day ask leave to introduce

"A bill to authorize the construction of a dam across the north branch of Fox river."

No. 44, (C.) "A bill to incorporate the Milwaukee and Waterford Plank Road Company;"

No. 43, (C.) "A bill to incorporate the Milwaukee and Rock River Plank Road Company;"

No. 57, (C.) "A bill to incorporate the Sheboygan and Fond du Lac Road Company;"

No. 46, (C.) "A bill to amend an act to authorize a further sale of canal lands and for other purposes, and the act amendatory thereto;" and

No. 55, (C.) "A bill to vacate a part of Langdon street in the town of Madison;"

Were severally read the third time, passed, and the titles thereof agreed to.

And the question having been put on the passage of

No. 48, (C.) "A bill to divorce Acsah Case from her husband Isaac R. Case;"

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Manahan, Phelps, Turner, and Whitesides,—5.

Those who voted in the negative, were

Messrs. Collins, Darling, Holmes, Lovell, McCartney, Palmer, and Wells, (President,)—7.

Mr. Holmes moved to re-consider the vote on the passage of said bill,

And the question having been put,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling, Holmes, Manahan, McCartney, Phelps, Turner, Whitesides, and Wells, (President.)—10.

Those who voted in the negative, were

Messrs. Lovell, and Palmer,—2.

The question was then put on the passage of said bill,

And was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Holmes, Manahan, McCartney, Phelps, Turner, and Whitesides,—7.

Those who voted in the negative, were

Messrs. Darling, Lovell, Palmer, White, and Wells, (President,)—5.

So the said bill passed, and the title thereof was agreed to.

Bill No. 21, (H. of R.) "A bill in relation to school district No. 10, in the towns of Waukesha and Pewaukee;" and

No. 59, (C.) "A bill to authorize Cicero Comstock and Charles H. Williams to build and maintain a dam across the Milwaukee river;"

No. 5, (C.) "A bill to amend an act, entitled 'an act to incorporate the village of Madison, and for other purposes;'"

Were severally read the third time, passed, and the titles thereof agreed to.

No. 56, (C.) "A bill for the relief of Jane Ann Charter;"

Was read the third time.

And the question having been put on the passage of the same,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Collins, Darling, Holmes, Manahan, Phelps, Turner, and Wells, (President,)—8.

Those who voted in the negative, were

Messrs. Lovell, McCartney, Palmer, White, and Whitesides,—5.

So the said bill passed, and the title thereof was agreed to.

No. 50, (C.) "A bill to authorize school district No. 1, in the town of Summit, Waukesha county, to levy a tax for the purpose of paying the expenses of building a school house;"

Was read the third time, passed, and the title thereof was agreed to.

On motion of Mr. Lovell,

No. 30, (H. of R.) "A bill for an act for the relief of Nathaniel B. Holmes,"

Was referred to the committee on the judiciary.

The rules having been first suspended for that purpose,

The council then resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Whitesides in the chair.

And after some time spent therein, the committee rose, and by their chairman reported

No. 43, (H. of R.) "A bill to organize certain towns therein named;"

No. 60, (C.) "A bill to amend an act entitled an act to incorporate the village of Southport;"

With amendments, and bills

No. 62, (H. of R.) "A bill to dissolve the marriage contract between William Farnham and Elizabeth O. Farnham;"

No. 62, (C.) "A bill to legalize certain acts of the supervisors of the town of Madison;"

No. 63, (H. of R.) "A bill to vacate a part of a territorial road from Burlington to Delavan;"

No. 66, (H. of R.) "A bill for the relief of Charles W. Sampson;"

No. 63, (C.) "A bill to divorce William Livingston Hart from his wife, Eliza Hart;"

No. 61, (C.) "A bill to amend an act entitled an act to amend an act entitled an act to provide for the government of the several towns in this territory, and for the revision of county government, approved April 15, 1843;"

No. 69, (C.) "A bill in relation to a highway in the county of Racine:"

No. 68, (C.) "A bill to legalize the official acts of the school commissioners of the town of Metomon;" and

No. 67, (C.) "A bill to repeal an act, entitled 'an act to incorporate the village of Prairieville,' approved February 3, 1846, and all the acts amendatory thereto,"

Without amendments.

The amendments of the committee of the whole to

Bills Nos. 60, (C.) and 43, (H. of R.) were concurred in, and Bills Nos. 60, 61, and 62, were ordered to be engrossed and read the third time.

Mr. Palmer moved that bill No. 43, (H. of R.) be laid on the table;"

Which was agreed to.

Bill No. 62, (H. of R.) was then ordered to be read the third time.

The question was then put on ordering bill No. 43, (H. of R.) to be read the third time,

And was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling. Holmes, Manahan, Palmer, Phelps, Turner, and Wells, (President,)—9.

Those who voted in the negative, were

Messrs. Lovell, McCartney, White, and Whitesides,—4.

Said bill was then ordered to be read the third time.

A message from the house of representatives, by their chief clerk:

"Mr. President: I am directed to return to the council for their further action,

No. 61, (H. of R.) 'A bill to change the name of William Willams.'

I am directed to present for your signature,

'An act to provide for laying out a territorial road from Beloit, in the county of Rock, to White Oak Springs, in the county of LaFayette;' and

'An act relative to the village of Racine;'

Which have been signed by the speaker of the house of representatives.

The house of representative have passed

No. 9, (C.) 'A bill to define the boundaries of the county of Fond du Lac, and the jurisdiction of counties to Lake Winnebago; also to legalize the acts of said county as to certain towns therein organized,'

No. 10, (C.) 'A bill to change the boundaries of the town of Lawrence, in the county of Brown;'

No. 22, (C.) 'A bill to dissolve the marriage contract between Daniel Hiler and Sarah Hiler;'

No. 25, (C.) 'A bill for the relief of the town of Turtle, in Rock county,'

No. 27, (C.) 'A bill to authorize the construction of a dam across Fox river, and for other purposes;' and

No. 36, (C.) 'A bill to locate temporarily the county seat of Columbia county;'

And have also passed

No. 67, (H. of R.) 'A bill to authorize Hugh McFarlane and Robert V. Allen to construct a bridge across the Wisconsin river;'

No. 71, (H. of R.) 'A bill to incorporate the Milwaukee and Beaver Dam plank road company;'

No. 56, (H. of R.) 'A bill for an act to amend an act, entitled 'an act to provide for the destruction of wolves;' '

No. 74, (H. of R.) 'A bill for an act to change the name of Emily Jane Ring to that of Emily Jane Hyer, and make her the heir at law of Nathaniel F. Hyer and Frances E. Hyer;'

No. 76, (H. of R.) 'A bill for an act to divorce Edward Hedggins from his wife, Eliza Jane Hedggins;'

No. 72, (H. of R.) 'A bill to legalize certain roads in the town of Salem;'

No. 78, (H. of R) 'A bill for an act to divorce Cynthia B. Ward from her husband, Henry Ward;'

No. 79, (H. of R.) 'A bill for an act to divorce Oliver Coon from his wife, Nancy Coon;'

No. 82, (H. of R.) 'A bill to authorize the treasurer of the town of Madison to disburse school moneys;'

No. 80. (H. of R.) 'A bill to authorize John Morgan to keep and maintain a ferry across Lake St. Croix, at Stillwater, in St. Croix county;'

No. 84, (H. of R.) 'An act for altering and laying out a certain territorial road therein named;'

No. 89, (H. of R,) 'A bill to authorize the road commissioners of the town of Rochester, to levy a tax to build a bridge across Fox river;'

No. 91, (H. of R.) 'A bill to incorporate the Milwaukee, Hustisford, and Beaver Dam plank road company;'

No. 108, (H. of R.) 'A bill to amend an act, entitled an act to amend an act, entitled an act for assessing and collecting county revenue, and for other purposes;'

In each of which the concurrence of the council is requested.

I am also directed to present for your signature,

'An act to legalize the official acts of the supervisors of the town of Port Washington, for the year 1846;'

'An act to annex a certain portion of the town of Sullivan, in the county of Jefferson, to the town of Jefferson;'

Which have been signed by the speaker of the house of representatives.

The house have receded from their first and fifth amendments to

No. 4, (C.) 'A bill to incorporate the Racine and Rock river plank road company;'

And have concurred in amendments of the council to

No. 21, (H. of R.) 'A bill in relation to school district No. 10, in the town of Waukesha and Pewaukee;' and

No. 65, (H. of R.) 'A bill to authorize the town of Salem to enumerate the children in the several school districts in said town, and for other purposes.'"

Said acts were severally signed by the president.

The question was then put on ordering bill No 66, (H. of R. to be read the third time,

And was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Darling, Manahan, McCartney, Phelps, Turner, Whitesides, and Wells, (President,)—8.

Those who voted in the negative, were

Messrs. Collins, Lovell, Palmer, and White,—4.

Said bill was then ordered to be read the third time.

On motion of Mr. Holmes,

Bill No. 63, (C.) was laid on the table.

Bills Nos. 69, 68, and 67, (C.) were severally ordered to be engrossed and read the third time.

Mr. Lovell, from the committee on the judiciary, to which the same had been rrferred, reported back

No. 30, (H. of R.) "A bill for an act for the relief of Nathaniel B. Holmes,"

With an amendment.

Said bill was then read the second time.

Mr. Turner, by leave, introduced

No. 75. (C.) "A bill to amend an act, entitled 'an act to provide for levying a tax on Waterville joint school district, in the county of Waukesha;'"

Which was read the first and second times.

Mr. Phelps moved that the council adjourn;

Which was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Holmes, Manahan, Whitesides, and Wells, (President,)—6.

Those who voted in the negative, were

Messrs. Darling, Lovell, McCartney, Palmer, Phelps, Turner, and White,—7.

Mr. Holmes moved that the council take a recess until three o'clock,

Which was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Collins, Darling, Lovell, McCartney, Phelps, and White,—6.

Those who voted in the negative, were

Messrs. Clark, Holmes, Manahan, Palmer, Turner, Whitesides, and Wells, (President,)—7.

Mr. Lovell moved that the council take a recess until half-past two o'clock:

Which was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Darling, Lovell, McCartney, Palmer, Turner, and White,—6.

Those who voted in the negative were,

Messrs. Clark, Collins, Holmes, Manahan, Phelps, Whitesides, and Wells, (President,)—7.

Mr. Darling, by leave introduced

No. 76, (C.) "A bill to authorize the construction of a dam across the north branch of the Fox river;

Which was read the first and second times.

Mr. Holmes moved that the council adjourn,

Which was decided in the negative,

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Holmes, Manahan, Whitesides, and Wells, (President.)—6.

Those who voted in the negative, were

Messrs. Darling, Lovell, McCartney, Palmer, Phelps, Turner, and White,—7.

Mr. Palmer moved that the council take a recess until half-past two o'clock;

Which was agreed to.

HALF PAST TWO O'CLOCK, P. M.

Mr. Phelps, by leave, introduced the following resolution;

Which was adopted, to wit:

Resolved, That the house be requested to return for the further action of the council

No. 31, (H. of R.) "An act for the relief of John Hooper."

The message of the house of representatives was then taken up, and

Bills Nos. 108, (H. of R.) "An act to amend an act entitled an act to amend an act entitled an act for assessing and collecting county revenue, and for other purposes;"

No. 91. (H. of R.) "A bill to incorporate the Milwaukee, Hustisford, and Beaver Dam plank road company;"

No. 89, (H. of R.) "A bill to authorize the road commissioners of the town of Rochester, to levy a tax to build a bridge across Fox river;"

No. 84, (H. of R.) "An act for altering and laying out a certain territorial road therein named;"

No. 80, (H. of R.) "A bill to authorize John Morgan to keep and maintain a ferry across Lake St. Croix, at Stillwater, in St. Croix county;"

No. 82, (H. of R.) "A bill to authorize the treasurer of the town of Madison to disburse school moneys;"

No. 79, (H. of R.) "A bill for an act to divorce Oliver Coon from his wife, Nancy Coon;"

No. 78, (H. of R.) "A bill for an act to divorce Cynthia B. Ward from her husband, Henry Ward;"

No. 72, (H. of R.) "A bill to legalize certain roads in the town of Salem;"

No. 56, (H. of R.) "A bill for an act to amend an act, entitled an act to provide for the destruction of wolves;"

No. 67, (H. of R.) "A bill to authorize Hugh McFarlane and Robert V. Allen to construct a bridge across the Wisconsin river;"

No. 74, (H. of R.) "A bill for an act to change the name of Emily Jane Ring to that of Emily Jane Hyer, and make her the heir at law of Nathaniel F. Hyer and Frances E. Hyer;"

No. 76, (H. of R.) "A bill for an act to divorce Edward Hedggins from his wife, Eliza Jane Hedggins;" and

No. 7 , (H. of R.) "A bill to incorporate the Milwaukee and Beaver Dam plank road company;"

Which were severally read the first and second times.

The president presented a communication to the council from Byron Kilbourn, Esq., president of the Milwaukee and Rock river canal company;

Which was read and laid on the table.

No. 61, (H. of R.) "A bill to change the name of William Williams,"

Was then taken up,

And the motion of Mr. Lovell of a previous day to re-consider the vote on the passage of said bill having been put,

It was decided in the affirmative.

Said bill was then passed, and the title thereof agreed to.

Mr. Holmes moved that the council adjourn.

And the question having been put,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling, Holmes, Manahan, McCartney, and Whitesides,—7.

Those who voted in the negative, were

Messrs. Lovell, Palmer, Phelps, Turner, White, and Wells, (President,)—12.

So the council adjourned.

Monday, March 6, 1848.

Prayer by the Rev. Mr. Lord.

The reading of the journal of Saturday was dispensed with.

Petitions, &c., were presented and referred, as follows, to wit:

By Mr. Clark:

A petition of 50 citizens of the village of Geneva, praying that the act incorporating said village may be repealed;

Which was referred to the committee on incorporations.

By Mr. Phelps:

The account of Ernst F. Herzberg for printing, &c.;

Referred to the committee on territorial expenditures.

By the President.

The account of Morritz Schœffler, editor of the Wisconsin Banner, for printing and publishing the constitution, &c.;

Referred to the committee on territorial expenditures.

Mr. Manahan, from the committee on engrossed bills, reported as correctly engrossed,

No. 58, (C.) "A bill to provide for the incorporation of cemetery associations;"

No. 67, (C.) "A bill to repeal an act entitled an act to incorporate the village of Prairieville, approved February 3, 1846, and all the acts amendatory thereto;"

No. 61, (C.) "A bill to amend an act entitled an act to amend an act entitled an act to provide for the government of the several towns in this territory and for the revision of county government, approved April 15, 1843;"

No. 62, (C.) "A bill to legalize certain acts of the supervisors of the town of Madison;"

No. 69, (C.) "A bill in relation to a highway in the county of Racine;"

No. 68, (C.) "A bill to legalize the official acts of the school commissioners of the town of Metomon;" and

No. 60, (C.) "A bill to amend an act entitled 'an act to incorporate the village of Southport.' "

Mr. Phelps, from the committee on roads, reported

No. 77, (C.) "A bill to authorize the inhabitants of Manitowoc to build a bridge across the Manitowoc river;"

And also reported

No. 78, (C.) "A bill to provide for the laying out of certain territorial roads therein named;"

Which were read the first and second times.

No. 68, (C.) "A bill to legalize the official acts of the school commissioners of the town of Metomon;"

No. 60, (C.) "A bill to amend an act entitled 'an act to incorporate the village of Southport;' "

No. 69, (C.) "A bill in relation to a highway in the county of Racine;"

No. 62, (C.) "A bill to legalize certain acts of the supervisors of the town of Madison;"

No. 61, (C.) "A bill to amend an act entitled an act to amend an act entitled an act to provide for the government of the several towns in this territory, and for the revision of county government, approved April 15, 1843;"

No. 67, (C.) "A bill to repeal an act entitled 'an act to incorporate the village of Prairieville, approved Feb. 3, 1846, and all the acts amendatory thereto;"

No. 58, (C.) "A bill to provide for the incorporation of cemetery associations;"

Were severally read the third time, passed, and the titles thereof agreed to.

The question was then put on the passage of

No. 66, (H. of R.) "A bill for the relief of Charles W. Sampson,"

And was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling, Manahan, McCartney, Phelps, Turner, and Whitesides,—8.

Those who voted in the negative were,

Messrs. Holmes, Lovell, Palmer, White, and Wells, (President,)—5.

So the said bill passed and the title thereof was agreed to.

The question was then put on the passage of

No. 62, (H. of R.) "A bill to dissolve the marriage contract between William Farnham and Elizabeth O. Farnham,"

And was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Collins, Darling, Holmes, Manahan, McCartney, Phelps, Turner, Whitesides, and Wells, (President,)—10.

Those who voted in the negative were,

Messrs. Lovell, Palmer, and White,—3.

So the said bill passed and the title thereof was agreed to.

A message from the Governor, by George P. Delaplaine, esq., his private secretary:

"Mr. President—I am directed by the governor to inform you that he did, on the 4th inst., approve, sign, and deposite in the office of the secretary of the territory,

'An act to legalize certain acts of the supervisors of the town of Port Washington, for the year 1846;'

'An act relative to the village of Racine;' and

'An act to annex a certain portion of the town of Sullivan, in the county of Jefferson, to the town of Jefferson.'"

Mr. Darling, from the committee on enrolled bills, reported as correctly enrolled,

"An act to authorize the trustees of the several districts in the towns of Salem and Fond du Lac to make returns of the children of their respective districts, and for other purposes;"

'An act to provide for the construction of a bridge across Platte river, in Grant county;'

'An act in relation to the survey of lumber and measurement of logs;'

'An act to authorize Leonard Humphrey to add Ravella to his name;'

'An act to authorize an alteration in a territorial road in Waukesha county;'

'An act in relation to school district number ten, in the towns of Waukesha and Pewaukee;'

'An act to provide for laying out a territorial road from Beloit, in Rock county, to White Oak Springs, in LaFayette county;'

'An act to authorize the construction of a dam across the Picatonica river, in Grant county;'

'An act to provide for the support of the poor;'

'An act to incorporate the Milwaukee and Janesville plank road company;'

'An act to dissolve the marriage contract between Daniel Hiler and Sarah Hiler;'

'An act for the relief of the town of Turtle, in Rock county;'

'An act to define the boundaries of Fond du Lac county, and the jurisdiction of counties to Lake Winnebago; also, to legalize the acts of said county as to certain towns therein organized;'

'An act to authorize the construction of a dam across Fox river, and for other purposes;'

'An act to establish the seat of justice of the county of Columbia;'

'An act to incorporate the Wisconsin Iron company;'

'An act to change the name of William Williams;'

'An act to dissolve the marriage contract between William Farnham and his wife Elizabeth O. Farnham;'

'An act to vacate a part of a territorial road from Burlington to Delavan;'

'An act for the relief of Charles W. Sampson;'

Also report that they did on the 4th instant, present to the Governor for his signature,

'An act to annex a certain portion of the town of Sullivan, in the county of Jefferson, to the town of Jefferson;"

'An act in relation to the village of Racine;'

'An act to legalize certain acts of the supervisors of the town of Port Washington;

'An act to provide for laying out a territorial road from Beloit in the county of Rock, to White Oak Springs, in the county of LaFayette.

No. 63, (H. of R.) "A bill to vacate a part of a territorial road from Burlington to Delavan;"

Was read the third time, passed, and the title thereof agreed to.

The rules having been first suspended for that purpose;

The following bills were introduced, to wit:

By Mr. Manahan:

No. 79, (C.) "A bill to authorize J. Sprague Pardee to con-

struct and maintain a dam across Fox river, in section No. 3, town 12, range 10, in Columbia county."

By Mr. Darling:

No. 80, (C.) "A bill to incorporate the Fond du Lac and Beaver Dam road company."

By Mr. Holmes:

No. 81, (C.) "A bill to authorize the laying out a territorial road from Sheboygan to Fond du Lac, and to levy a special tax to improve the same."

By Mr. Palmer:

No. 82, (C.) "A bill to repeal an act entitled an act to incorporate the village of Geneva, and all acts amendatory thereto;"

Which were severally read the first and second times.

Mr. Lovell, by leave, introduced the following resolution, which was adopted, to wit:

Resolved, (the council concurring,) That the two houses will meet in joint committee on Thursday next, at three o'clock P. M., in the hall of representatives, for the purpose of electing by ballot such territorial officers as are by law to be elected by the legislature.

The rules having been first suspended for that purpose;

The council then resolved itself into committee of the whole, for the consideration of the general file of (C.) bills;

Mr. Darling in the chair.

And after some time spent therein, the committee rose, and by their chairman reported

No. 71, (C.) "A bill to authorize Platte town school district to raise money to build a school house;"

No. 70, (C.) "A bill to supply the territorial library with certain laws, reports and other books;"

No. 73, (C.) "A bill to establish the county of Adams;"

No. 75, (C.) "A bill to amend an act entitled 'an act to provide for levying a tax on Waterville joint school district in the county of Waukesha;'" and

No. 76, (C.) "A bill to authorize the construction of a dam across the north branch of Fox river;"

Without amendment, and

No. 74, (C.) "A bill to incorporate the Winnebago Lake and Fox river company;"

No. 72, (C.) "A bill to organize certain towns therein named;" and

No. 4, (C.) "Resolution relating to outstanding bonds;"

With amendments.

The amendments of the committee of the whole to No. 74, (C.) and resolution No. 4, were concurred in, and

The amendments of the committee of the whole to No. 72, C.) were non-concurred in.

Mr. Collins moved to amend said bill by inserting after the word "east," in 2d line, 5th section, the words "excepting fractional sections numbered 5, 6, 7 and 8;"

Which was disagreed to.

Mr Collins moved that the said bill be laid on the table;

Which was agreed to.

Resolution No. 4, and bills Nos. 74, 75, 73, 71 and 76, (C.)

Were severally ordered to be engrossed and read the third time.

No. 43, (H. of R.) "A bill to organize certain towns therein named,"

Was taken up.

Mr. Palmer moved to amend by adding a new section as follows:

"That all that part of the town of Centre, in the county of Rock, embraced in township No. 2 north, of range 11 east, is hereby organized into a separate town, to be known by the name of Plymouth, and that the first town meeting in said town shall be held at the house of Joseph Hockenshells,"

Which was agreed to.

On motion of Mr. White,

Said bill was laid on the table,

No. 32, (H. of R.) "A bill to change the name of Christian W. Schwartz,"

Was then taken up, and

Said bill was ordered to be read the third time.

The rules having first been suspended for that purpose,

Said bill was read the third time, passed, and the title thereof agreed to.

Mr. Collins moved to amend No. 70, (C.) by striking out the word "two," in 1st line of sec. 7, and inserting in lieu thereof the word "four;"

Which was disagreed to.

Mr. Darling moved to amend by striking out all of the 1st section after the word "library;"

Which was agreed to.

Mr. Collins moved to amend said bill by striking out section four;

And pending the question thereon,

On motion of Mr. Darling,

Said bill was referred to the committee on the judiciary.

A message from the house of representatives by their chief clerk.

"Mr. President:—The house of representatives have passed

'Resolution relative to the election of certain territorial officers therein named;'

No. 73, (H. of R.) 'A bill to incorporate the Neenah and Manitowoc Plank Road Company;'

No. 83, (H. of R.) 'A bill to authorize the construction of a dam across the Pecatonica river in Green county;'

No. 85, (H. of R.) 'A bill for an act to adjust the matters in controversy between the territory and the building committee;'

No. 86, (H. of R.) 'A bill concerning commitments;'

No. 87, (H. of R.) 'An act to amend an act entitled 'an act to provide for punishing the crime of embezzlement, approved April 1, 1843;'

No. 93, (H. of R.) 'A bill to organize the town of Springfield, and to provide for collecting tax in said town;'

No. 96, (H. of R.) 'A bill for an act to make an appropriation to bring the body of the late captain Augustus Quarles to the territory for interment;' and

No. 77, (H .of R.) 'A bill for an act to divorce Melinda B. Rogers from her husband Commodore Rogers.'

In which the concurrence of the council is requested."

On motion of Mr. Holmes,

The council took a recess until half past 2 o'clock, P. M.

HALF-PAST TWO O'CLOCK, P. M.

Bill No. 43, (H. of R.) was then taken up.

Mr. White moved to amend said bill by adding as section No. 4,

Sec. 4. That sections Nos. 31, 32, 33, 34, 35, and 39, in township No. 3, north of range No. 31, east, which were heretofore detached from the town of Yorkville and annexed to the town of Paris, in the county of Racine, be, and the same are hereby re-annexed to, and shall hereafter comprise a part of the town of Yorkville, any act of the legislature heretofore passed to the contrary notwithstanding;

Which was agreed to.

On motion of Mr. Holmes,

Said bill was laid on the table.

Mr. Palmer, from the committee on enrolled bills, reported as correctly enrolled,

"An act to incorporate the Racine and Rock river plank road company."

On motion of Mr. Lovell,

Bills Nos. 71 and 91, (H. of R.) were referred to the committee on roads.

The rules having been first suspended for that purpose,

The council then resolved itself into committee of the whole for the consideration of the general file of house bills,

Mr. Lovell in the chair.

And after some time spent therein, the committee rose, and by their chairman reported

No. 74, (H. of R.) "A bill for an act to change the name of Emily Jane Ring to that of Emily Jane Hyer, and make her the heir at law of Nathaniel F. Hyer and Frances E. Hyer;"

No 67, (H. of R.) "A bill to authorize Hugh McFarlane and Robert V. Allen to construct a bridge across the Wisconsin river;"

No. 56, (H. of R.) "A bill for an act to amend an act entitled an act to provide for the destruction of wolves;"

No. 80, (H. of R,) "A bill to authorize John Morgan to keep and maintain a ferry across Lake St. Croix, at Stillwater, in St. Croix county;"

Resolution relative to the election of certain officers;

Resolved, (the house concurring,) That the two houses will meet in joint convention on Thursday next, at 3 o'clock, P. M., in the hall of the house of representatives, for the purpose of electing by ballot, such territorial officers as are by law to be elected by the legislature.

No. 72, (H. of R.) "A bill to legalize certain roads in the town of Salem;"

No. 84, (H. of R.) "An act for altering and laying out a certain territorial road therein named;"

No. 89, (H. of R.) "A bill to authorize the road commissioners of the town of Rochester to levy a tax to build a bridge across Fox river;"

No. 68, (H. of R.) "A bill for an act to divorce Cynthia B. Ward from her husband, Henry Ward;"

Without amendments, and

No. 30, (H. of R.) "A bill for an act for the relief of Nathaniel B. Holmes;"

No. 76, (H. of R.) "A bill for an act to divorce Edward Hedggins from his wife, Eliza Jane Hedggins;"

No. 79, (H. of R.) "A bill for an act to divorce Oliver Coon from his wife, Nancy Coon;"

No. 108, (H. of R.) "An act to amend an act entitled an act to amend an act entitled an act for assessing and collecting county revenue, and for other purposes;"

With amendments.

The amendments of the committee of the whole to

Bills Nos. 108 and 79, (H. of R.) were then concurred in.

On motion of Mr. Turner,

Bills Nos. 76, 78, and 79, (H. of R.) were referred to the committee on agriculture and manufactures.

Bill No. 108, (H. of R.) was then ordered to be read the third time.

The question was then put on ordering bill No. 30, (H. of R.) to be read the third time,

And was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Darling, Manahan, McCartney, Phelps, Turner, Whitesides, and Wells, (President,)—8.

Those who voted in the negative, were

Messrs. Lovell, Palmer, and White,—3.

So the said bill was read the third time.

Bill No. 74, (H. of R.) was ordered to be read the third time.

On motion of Mr. Lovell,

Bill No. 67, (H. of R.) was laid on the table.

Bills Nos. 82, 80, 56, 84, 89, and 72, (H. of R.) were severally ordered to be read the third time.

"Resolution relative to the joint convention of the two houses,"

Was laid on the table.

The message of the house of representatives was taken up, and

Bills Nos. 85, 96, 93, 87, 86, 83, and 73, (H. of R.) were severally read the first and second times.

A message from the house of representatives by their chief clerk:

"Mr. President:—I am directed to present for your signature,

'An act in relation to school district number ten, in the towns of Waukesha and Pewaukee;'

'An act to incorporate the Milwaukee and Janesville plank road company;'

'An act to authorize Leonard Humphrey to add Ravella to his name;'

'An act to authorize an alteration in a territorial road in Washington county;'

'An act for the relief of the town of Turtle, in Rock county;'

'An act to establish the seat of justice of the county of Columbia;"

'An act to dissolve the marriage contract between Daniel Hiler and Sarah Hiler;'

'An act to authorize the construction of a dam across Fox river, and for other purposes;'

'An act to define the boundaries of the county of Fond du Lac, and the jurisdiction of counties to Lake Winnebago, also to legalize the acts of said county as to certain towns therein organized;'

'An act to incorporate the Racine and Rock river plank road company;'

'An act to provide for the support of the poor;'

'An act to authorize the construction of a dam across the Picatonica river, in Green county;'

'An act to authorize the trustees of the several school districts in the towns of Salem and Fond du Lac, to make returns of the children of their respective districts, and for other purposes;'

'An act in relation to the survey of lumber and measurement of logs;'

'An act to provide for the construction of a bridge across Platte river, in Grant county;'

'An act to change the name of William Williams;'

'An act to vacate a part of a territorial road from Burlington to Delavan;'

'An act to dissolve the marriage contract between William Farnham and his wife Elizabeth O. Farnham;'

'An act for the relief of Charles W. Sampson;' and

'An act to incorporate the Wisconsin Iron company;'

Which have been signed by the speaker of the house of representatives.

The house of representatives have passed,

No. 81, (H. of R.) 'A bill to authorize the commissioners of highways of the town of LaGrange, Walworth county, to discontinue a portion of the territorial road leading from Prairieville to Hart Prairie;'

In which the concurrence of the council is requested."

The president signed the several acts mentioned in said message.

The message from the house of representatives was then taken up; and

Bill No. 81, (H. of R.) was read the first and second time.

Mr. Darling moved that bill No. 108, (H. of R.) be laid on the table;

Which was agreed to.

Mr. Lovell moved that bill No. 72, (H. of R.) be laid on the table;

Which was agreed to.

Bills Nos. 30, 56, 74, 80, 82, 84 and 89, (H. of R.) were severally read the third time, passed, and the titles thereof agreed to.

On motion of Mr. Palmer,

Bills Nos. 72 and 108, (H. of R.) were referred to the committee on the judiciary.

A message from the house of representatives by their chief clerk.

"Mr. President: The house of representatives have passed,

No. 1, (C.) 'Resolution relative to a convention of the two houses;' and

No. 88, (H. of R.) 'A bill to submit to the legal voters of the county of Grant the question of a division of said county;'

In the last of which the concurrence of the council is requested.'

I am directed to return to the council for their further action

No. 31, (H. of R.) 'An act for the relief of John Hooper and Lucinda F. Hooper.'"

On motion of Mr. Whitesides,

The council adjourned.

Tuesday, March 7, 1848.

Prayer by the Rev. Mr. Lord.

The reading of the journal of yesterday was dispensed with.

A message from the house of representatives by their chief clerk.

"Mr. President: The house of representatives have passed

'Joint resolution fixing the compensation of the officers of the present session of the legislative assembly,'

In which the concurrence of the council is requested.

The house have concurred in the amendment of the council to

No. 30, (H. of R.) 'A bill for an act for the relief of Nathaniel B. Holman.'

The Governor has notified the house of representatives that he did, on yesterday, approve, sign, and deposite in the office of the secretary of the territory,

'An act to provide for laying out a territorial road from Beloit in the county of Rock, to White Oak Springs in the county of La Fayette.'

I am also directed to present for your signature,

'An act to amend an act, entitled 'an act to provide for the destruction of wolves;' '

'An act for altering and laying out a certain territorial road therein named;'

'An act to change the name of Christian W. Schwartz;'

'An act for the relief of Nathaniel B. Holman;'

'An act to authorize the treasurer of the town of Madison to disburse school moneys;'

'An act to authorize the road commissioners of the town of Rochester, to levy a tax to build a bridge across Fox river;'

'An act to change the name of Emily Jane Ring to that of Emily Jane Hyer, and make her the heir at law of Nathaniel F. Hyer and Frances E. Hyer;'

'An act to authorize John Morgan to keep and maintain a ferry across Lake St. Croix, at Stillwater, in St. Croix county."

Which have been signed by the speaker of the house of representatives."

Said acts were severally signed by the president.

Mr. Darling from the committee on enrolled bills, reported as correctly enrolled

"An act for the relief of Nathaniel B. Holman;"

"An act for altering and laying out a certain territorial road therein named;"

"An act to authorize the road commissioners of the town of Rochester to levy a tax to build a bridge across Fox river;".

"An act to authorize John Morgan to keep and maintain a ferry across Lake St. Croix, at Stillwater, in St. Croix county;"

"An act to change the name of Christian W. Schwartz;"

"An act to authorize the treasurer of the town of Madison to disburse school money;"

"An act to change the name of Emily Jane Ring to that of Emily Jane Hyer, and make her the heir at law of Nathaniel F. Hyer and Frances E. Hyer;" and

"An act to amend an act entitled 'an act to provide for the destruction of wolves.'"

Petitions, &c. were presented and referred as follows:

By the President:

The account of Cramer & Curtis, for newspapers;

Referred to the committee on legislative expenses.

Also, sundry papers relative to the divorce case of William L. Hart.

Said papers were laid on the table.

Also, a petition of Milo Jones and others, asking for a charter for a plank road from Fort Atkinson to Waukesha, by the most direct and practicable route;

Referred to the committee on roads.

By Mr. Collins:

The account of James Hopkins, for work and materials for the capital;

Referred to the committee on territorial expenditures.

By Mr. White:

The account of Bunner & Stafford, for furnishing 195 copies of the Racine Advocate·

Referred to the committee on territorial expenditures.

Mr. Collins, by leave, introduced the following resolution, to wit.:

"*Resolved*, by the council and house of representatives of the territory of Wisconsin, (the house concurring,) That the secretary of the territory be and he is hereby authorized to procure two suitable maps of the territory for the use of the legislature, to be of a size not less than 36 square feet. The boundary to be in conformity to the action of congress on admitting Wis-

consin into the Union: *Provided*, That said maps shall not cost the territory more than four hundred dollars, and can be furnished by the sitting of the next legislature."

On motion of Mr. Holmes,

Said resolution was laid on the table.

Mr. Palmer, from the committee on incorporations, to whom that subject had been referred, reported

No. 83, (C.) "A bill to authorize the supervisors of the town of Watertown, in the county of Jefferson, to levy a special tax to build a bridge across Rock river;"

Which was read the first and second times.

Mr. McCartney, from the committee on agriculture and manufactures, made the following report, to wit:

"The committee to whom was referred No. 76, No. 78, and No. 79, (H. of R) with accompanying documents, beg leave to

REPORT:

That they have had the same under consideration, and from the facts in each case, as gathered from the evidence on the part of the petitioners, the committee would recommend the above bills to the favorable consideration of the council, and ask to be discharged from the further consideration thereof.

O. McCARTNEY, Ch'n,
N. E. WHITESIDES,
JOSEPH TURNER.

The said report was accepted, and the committee was discharged from the further consideration of the subject.

Mr. Turner presented the account of J. G. Knapp, for oil;

Referred to the committee on legislative expenses.

Mr. Manahan, from the committee on engrossed bills, reported as correctly engrossed,

No. 73, (C.) "A bill to establish the county of Adams;"

No. 75, (C.) "A bill to amend an act, entitled 'an act to provide for laying a tax on Waterville joint school district, in the county of Waukesha;'"

No. 74, (C.) "A bill to incorporate the Winnebago Lake and Fox river road company;"

No. 71, (C.) "A bill to authorize Platte town school district to raise money to build a school house;"

No. 76, (C.) "A bill to authorize the construction of a dam across the north branch of Fox river;" and

Resolution No. 4, (C.) "Resolution relative to outstanding bonds."

Mr. Phelps, from the committee on roads, to which the same had been referred, reported

No. 71, (H. of R.) "A bill to incorporate the Milwaukee and Beaver Dam plank road company;" and

No. 91, (H. of R.) "A bill to incorporate the Milwaukee, Hustisford, and Beaver Dam plank road company,"

With a recommendation that said bills do pass.

Mr. Lovell, from the committee on the judiciary, to which the same had been referred, reported

No. 108, (H. of R.) "An act to amend an act, entitled 'an act to amend an act, entitled an act for assessing and collecting county revenue, and for other purposes;' ", and

No. 72, (H. of R.) "A bill to legalize certain roads in the town of Salem,"

With amendments.

The said bills were read the second time.

And also, from the same committee, reported

No. 15, (H. of R.) "A bill relative to administrators and judges of probate,"

Without recommending any action thereon

Mr. White, from the committee on schools, made the following report, to wit:

The committee on schools, to which was referred a communication from five members of the "board of visitors of the university of Wisconsin," relative to filling vacancies in said board, beg leave to

REPORT:

That having duly considered the suggestions contained in the communication referred to them, they have come to the conclusion that the interests of all concerned—the state, the people at large, and the cause of literature—will be better subserved by

creating a differently constituted board than is provided for by the law now in force. Your committee therefore ask leave to report a bill to amend the 1st section of the act of 1838, incorporating the present board of visitors, by providing that the Governor, Lieutenant Governor, Secretary of State, and the senators in the legislature of the state, shall constitute a board, to be styled "the Regents of the University of Wisconsin."

Such a provision, your committee conceive, will give efficiency and permanence to the board, and tend to relieve the representatives of the people from extraneous duties, by obviating the periodical recurrence of elections by the legislature, to fill vacancies, and it will be entirely in accordance with the enlightened spirit of the age, as it will confide the interests of education and literature to the supervision of the highest officers in the state, who will at short intervals, have derived their authority immediately from the people.

Respectfully submitted,

PHILO WHITE, Ch'n.
A. L. COLLINS,
M. C. DARLING.

March 7, 1848.

And also reported

No. 84, (C.) "A bill to amend an act to incorporate the University of Wisconsin;"

Which was read the first and second times.

Mr. Turner presented a petition of Milo Jones and others, relative to a plank road;"

Referred to the committee on roads.

Mr. Darling, from the committee on enrolled bills, made the following report, to wit:

The committee on enrolled bills report as presented on the 6th instant, to the Governor, for his approval,

"An act to provide for the construction of a bridge across Platte river, in Grant county;"

"An act to dissolve the marriage contract between Willliam Farnham and his wife, Elizabeth O. Farnham;"

"An act to incorporate the Wisconsin iron company;"

"An act to authorize the trustees of the several school districts in the towns of Salem and Fond du Lac, to make returns

of the children of their respective districts, and for other purposes ;"

"An act to provide for the support of the poor ;"

"An act to authorize an alteration of a territorial road in Washington county ;"

"An act to authorize the construction of a dam across the Pecatonica river, in Green county ;"

"An act in relation to the survey of lumber and measurement of logs ;"

"An act in relation to school district number ten in the towns of Waukesha and Pewaukee ;"

"An act to incorporate the Racine and Rock River Plank Road Company ;"

"An act to incorporate the Milwaukee and Janesville Plank Road Company ;"

"An act to authorize Leonard Humphrey to add Ravella to his name ;"

"An act for the relief of the town of Turtle, in Rock county ;"

"An act to establish the seat of justice of the county of Columbia ;"

"An act to dissolve the marriage contract between Daniel Hiler and Sarah Hiler ;"

"An act to authorize the construction of a dam across Fox river, and for other purposes ;"

"An act to define the boundaries of Fond du Lac county, and the jurisdiction of counties to Lake Winnebago ; also, to legalize the acts of said county as to certain towns therein organized ;"

"An act for the relief of Charles W. Sampson ;"

"An act to vacate a part of a territorial road from Burlington to Delavan ;" and

"An act to change the name of William Williams."

Mr. Collins, from the select committee to whom the same had been referred, reported

No. 51, (C.) "A bill to change the name of the town of Greenfield, in the county of Dane ;"

With an amendment.

Said bill was then read the second time.

The message of the house of representatives was then taken up; and

No. 77, (H. of R.) "A bill for an act to divorce Melinda B. Rogers from her husband Commodore Rogers," and

No. 88, (H. of R.) "A bill to submit to the legal voters of the county of Grant the question of a division of said county,"

Were severally read the first and second times.

No. 76, (H. of R.) "A bill for an act to divorce Edward Hedggins from his wife Eliza Jane Hedgings,"

Was then taken up,

And the question having been put on ordering said bill to be read the third time,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Manahan, Phelps, Turner, Whitesides, and Wells, (President,)—6.

Those who voted in the negative were,

Messrs. Collins, Holmes, Lovell, McCartney, Palmer and White,—6.

So said bill was rejected.

The resolution of the house relative to the per diem of officers of the present session of the legislature,

Was then taken up and adopted.

No. 78, (H. of R.) "A bill for an act to divorce Cynthia B. Ward from her husband Henry Ward,"

Was then taken up.

And the question having been put on ordering said bill to be read the third time,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Collins, Darling, Manahan, McCartney, Phelps, Turner, Whitesides, and Wells, (President,)—9.

Those who voted in the negative were,

Messrs. Holmes, Lovell, Palmer and White,—4.

Mr. McCartney moved to re-consider the vote on ordering bill No. 76, (H. of R.) to be read the third time.

And the question having been put,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Collins, Darling, Manahan, McCartney, Phelps, Turner, Whitesides, and Wells, (President,)—10.

Those who voted in the negative were,

Messrs. Lovell, Palmer and White,—3.

The question was then put on ordering said bill to be read the third time,

And was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Collins, Manahan, McCartney, Phelps, Turner, Whitesides, and Wells, (President,)—8.

Those who voted in the negative were,

Messrs. Holmes, Lovell, Palmer, and White,—4.

No. 79, (H. of R.) "A bill for an act to divorce Oliver Coon from his wife Nancy Coon,"

Was then taken up.

And the question having been put on ordering said bill to be read the third time,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Darling, Manahan, McCartney, Phelps, Turner, Whitesides, and Wells, (president,)—8.

Those who voted in the negative were,

Messrs. Collins, Holmes, Lovell, Palmer, and White,—5.

No. 71, (C.) "A bill to incorporate the Milwaukee and Beaver Dam Plank Road Company,"

Was read the third time, passed, and the title thereof agreed to.

No. 4, (C.] Resolution relative to outstanding bonds,

Was read the third time.

On motion of Mr. Collins,

Said resolution was laid on the table.

Bills No. 73, (C.) "A bill to establish the county of Adams,"

No. 75, (C.) "A bill to amend an act entitled 'an act to pro-

vide for levying a tax on Waterville joint school district, in the county of Waukesha,' " and

No. 76, (C.) " A bill to authorize the construction of a dam across the north branch of Fox river,"

Were severally read the third time, passed, and the title thereof was agreed to.

No 74, (C.) " A bill to incorporate the Winnebago lake and Fox river road company,"

Was then taken up, when

Mr. Darling asked the unanimous consent of the council to amend the same by striking out in the first section the words " the coup on ;"

Which was agreed to,

Said bill was then read the third time, passed, and the title was agreed to.

The rules having been first suspended for that purpose ;

The council then resolved itself into committee of the whole for the consideration of the general file of council bills.

Mr. Palmer in the chair ;

And after some time spent therein, the committee rose and by their chairman reported

No. 82, (C.) " A bill to repeal an act entitled ' an act to incorporate the village of Geneva and all the acts amendatory thereto,' "

Without amendments ; and

No, 81, (C.) " A bill to authorize the laying out a territorial road from Sheboygan to Fond du Lac, and to levy a special tax to improve the same ;"

No. 51, (C.) " A bill to change the name of the town of Greenfield, in the county of Dane ,"

No. 77, (C.) " A bill to authorize the inhabitants of Manitowoc to build a bridge across the Manitowoc river ;"

No. 78, (C.) " A bill to provide for the laying of certain territorial roads therein named ;"

No. 80 (C.) " A bill to incorporate the Fond du Lac and Beaver Dam road company ;"

No. 79, (C.) " A bill to authorize J. Sprague Pardee to construct and maintain a dam across Fox river on section No. three, town twelve, range ten, in Columbia county,"

Without amendments.

The amendments of the committee of the whole on bill No. 82, (C.) was concurred in, and

Bills Nos. 82, 81, 77, 78, 80, 79 were severally ordered to be engrossed and read the third time.

On motion of Mr. Collins,

Bill No. 5, (C.) was laid on the table.

No. 43, (H. of R.) "A bill to organize certain towns therein named,"

Was then taken up.

On motion of Mr. White,

Said bill was re-committed to the committee of the whole.

The council then resolved itself into committee of the whole for the consideration of bills

No. 71, (H. of R.) "A bill to incorporate the Milwaukee and Beaver Dam Plank Road Company;"

No. 73, (H. of R.) "A bill to incorporate the Neenah and Manitowoc Plank Road Company," and

No. 91, (H of R.) "A bill to incorporate the Milwaukee, Hustisford and Beaver Dam Plank Road Company;"

Mr. Clark in the chair;

And after some time spent therein, the committee rose, and by their chairman reported progress on bill No. 91, (H. of R.) and asked leave to sit again.

Leave was granted.

And also reported bills Nos. 71, and 73, (H. of R.) with amendments to each.

The amendments of the committee of the whole to bill No. 71, (H. of R.) were concurred in and said bill ordered to be read the third time.

On motion of Mr. Darling,

Bill No. 73, (H. of R.) was laid on the table.

Mr. Darling, from the committee on enrolled bills, made the following report, to wit:

The committee on enrolled bills report as presented to the governor for his approval this day,

"An act to authorize the treasurer of the town of Madison, to disburse school moneys."

"An act to authorize John Morgan to keep and maintain a

ferry across Lake St. Croix, at Stillwater in St. Croix county."

"An act to change the name of Emily Jane Ring to Emily Jane Hyer, and make her the legal heir at law of Nathaniel Hyer and Frances E. Hyer;"

"An act to authorize the road commissioners of the town of Rochester to levy a tax to build a bridge across Fox river;"

"An act for the relief of Nathaniel B. Holman;"

"An act to change the name of Christian W. Schwartz;"

"An act for altering and laying out a territorial road therein named;"

"An act to amend 'an act entitled act to provide for the destruction of Wolves;' "

On motion of Mr. Clark,

The council took a recess till half-past two o'clock, P. M.

HALF-PAST TWO O'CLOCK, P. M.

A message from the house of representatives by their chief clerk:

"Mr. President:—The Governor has notified the house of representatives that he did, on the 6th inst., approve, sign, and deposite in the office of the secretary of the territory,

'An act for the relief of Charles W. Sampson;'

'An act to authorize Leonard Humphrey to add Ravilla to his name;'

'An act to vacate a part of a territorial road from Burlington to Delavan;'

'An act to change the name of William Williams;'

'An act to authorize the construction of a dam across the Pickatonica river, in Green county;'

'An act in relation to the survey of lumber and measurement of logs;'

'An act in relation to school district number ten, in the towns of Waukesha and Pewaukee;'

'An act to provide for the support of the poor;'

'An act to provide for the construction of a bridge across Platte river, in Grant county;'

'An act to dissolve the marriage contract between William Farnham and his wife Elizabeth O. Farnham;'

'An act to authorize an alteration in a territorial road in Washington county;'

'An act to authorize the trustees of the several school districts, in the towns of Salem and Fond du Lac, to make returns of the children of their respective districts, and for other purposes;'

'An act to incorporate the Wisconsin Iron Company;' and

'An act to incorporate the Milwaukee and Janesville Plank Road Company.'

The house have negatived

No. 45, (C.) 'A bill to provide for the publication of a general index of the session laws from 1839 to 1848 inclusive, and to pay for preparing the same,'

By striking out all after the enacting clause thereof.

And have passed

No. 30, (C.) 'A bill to authorize Barton Salisbury to construct a dam across Milwaukee river;'

No. 32, (C.) 'A bill to amend the sixth section of an act to provide for laying out certain territorial roads therein named,' approved February 11th, 1847;

No. 33, (C.) 'A bill to divorce John Curtis from his wife Ann Amanda Curtis;'

No. 35, (C.) 'A bill to divide the town of Centre, in Rock county, and to organize the town of Plymouth;'

No. 38, (C.) 'A bill granting to Chester Matson the right to keep and maintain a ferry across the Wisconsin river;'

No. 49, (C.) 'A bill to provide for the payment to John Catlin the sum therein named;' and

No. 34, (C.) 'A bill to establish certain territorial roads therein named;,

The last with an amendment.

In which the concurrence of the council is requested.

And have also passed

No. 92, (H. of R.) 'A bill to incorporate the Port Ulea and Grafton Road Company;'

No. 75, (H. of R.) 'A bill to dissolve the marriage contract

between Edwin B. Tenney and his wife Harriet A. Tenney ;'

No. 94, (H. of R.) 'A bill for an act in relation to holding the district court in Sauk county ;'

No. 97, (C.) 'A bill to legalize the act of the trustees of the village of Beloit in vacating certain streets therein ;'

No. 99, (H. of R.) 'A bill to authorize the voters of La Fayette county to vote for re-locating the county seat thereof ;'

No. 98, (H. of R.) 'A bill to divorce Benjamin M. Coats from his wife Seeldra Coats ;'

No. 104, (H. of R.) 'A bill to authorize the adjutant general to draw on the treasurer for money to meet certain expenses ;'

No. 105, (H. of R.) 'A bill for an act to legalize the official acts of Charles S. Peasley, late justice of the peace of Dane county ;' and

No. 106, (H. of R.) 'A bill to authorize William Noble to keep and maintain a ferry across Lake St Croix at the mouth of Willow river in St. Croix county ;'

In each of which the concurrence of the council is requested.

The house of representatives have passed

No. 28, (C.) "A bill to amend the charter of the village of Racine ;"

No. 21, (C.) "A bill to provide for the payment of the heirs of Thos. P. Burnett, deceased, for reporting the decisions of the supreme court of the territory of Wisconsin ;" and

No, 31, (C.) "A bill to incorporate the Southport and Beloit Road Company ;"

The two last with amendments,

In which the concurrence of the council is requested."

The rules having been first suspended for that purpose.

The council then resolved itself into committee of the whole, for the consideration of the general file of house of representative bills,

Mr. Collins in the chair.

After some time spent therein the committee rose, and by their chairman reported progress on the general file of house bills, and asked leave to sit again ;

Leave was granted.

And also reported

No. 108, (H. of R.) "An act to amend an act entitled 'an

act to amend an act entitled an act for assessing and collecting county revenue, and for other purposes;' "

No. 15, (H. of R.) "A bill relative to administrators and judges of probate;"

No. 72, (H. of R.) "A bill to legalize certain roads therein named;"

With amendments, and

No. 86, (H. of R.) "A bill concerning commitments;"

No. 93, (H. of R.) "A bill for an act to make an appropriation to bring the body of the late Capt. Augustus Quarles to the territory for interment;"

No. 83, (H. of R.) "A bill to authorize the construction of a dam across the Pecatonica river, in Green county;"

No. 87, (H. of R.) "An act to amend an act entitled 'an act to provide for punishing the crime of embezzlement,' spproved April 1, 1843," and

No. 85, (H. of R.) "A bill for an act to adjust the matters between the territory and the building committee,"

Without amendments.

On motion of Mr. Lovell,

No. 86, (H. of R.) was laid on the table.

Bills Nos. 93 and 83, (H. of R.) were severally ordered to be read the third time.

On motion of Mr. Darling,

Bill No. 87, (H. of R.) was referred to the committee on the judiciary.

Mr. Holmes moved to lay bill No. 85 (H. of R.) on the table.

Which was agreed to.

And the question having been put on ordering said bill to be read the third time,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Collins, Darling, Lovell, Manahan, McCartney, Palmer Phelps, Turner, White, and Whitesides,—11.

Those who voted in the negative were,

Messrs. Holmes, and Wells, (President,)—2.

So said bill was ordered to be read the third time.

The amendments of the committee of the whole to bils Nos.

108 and 72, (H. of R.) were severally concurred in, and said bills were orderrd to be read the third time.

No. 15, (H. of R.) "A bill relating to administrators and judges of probate,"

Was then taken up, when

Mr. Collins moved to strike out all after the enacting clause.

And the question having been put,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Collins, Manahan, McCartney, Phelps, Whitesides, and Wells, (president,)—6.

Those who voted in the negative were,

Messrs. Clark, Darling, Lovell, Turner, and White,—5.

Mr. Lovoll moved to amend as follows, insert a new section as

Section 1. The provisions of an act entitled "an act to extend the jurisdiction of judges of probate," approved February 20th 1845, shall extend to all cases where the intestate shall have died previous to the passage of said act.

And pending the passage thereon;

Mr. Lovell, by leave, presented

A petion of for a divorce.

Which was referred to the committee on agriculture and manufacture.

On motion of Mr. Collins,

The Council adjourned.

Wednesday, March 8, 1848.

Prayer by the Rev. Mr. Lord.

The reading of the journal of yesterday was dispensed with.

Petitions, &c. were presented and referred as follows:

By Mr. Palmer:

A remonstrance of Commodore Rogers against the application of Melinda B. Rogers for a divorce;

Which was laid on the table.

A message from the house of representatives, by their chief clerk:

"Mr President—I am directed to present for your signature,

'Joint resolution fixing the compensation of the officers of the present session of the legislative assembly;'

Which has been signed by the speaker of the house of representatives.

The house of representatives have passed,

'Resolution of thanks to John H. Stevens.'

In which the concurrence of the Council is requested."

The several resolutions mentioned in said message were signed by the president.

Mr. Lovell, by leave, introduced

No. 85, (C.) "A bill to legalize the official acts of A. G. Cole;"

Which was read the first and second times.

Mr. Turner, by leave, Introduced

No. 86, (C.) "A bill to provide for the payment of the expenses of the present session of the legislative assembly;"

Which was read the first and second times.

Mr. White presented

A petition from the inhabitants of Greenfield, on changing name of said town;

Which was laid on the table.

Mr. Holmes introduced the following resolution, to wit:

"*Resolved*, (the house concurring,) That the auditor of the territory be and hereby is directed to credit the county of Jefferson the sum of one hundred and sixty-five dollars and thirteen cents, the amount overcharged to said county as its proportion of the territorial tax for the year 1845, as shown by the corrected returns of the board of supervisors of said county for said year."

Said resolution was laid on the table. Also,

Resolution No. 5, (C.) "A resolution concerning outstanding

certificates for compensation of members and officers of the legislature, A. D. 1841 and 1842;"

Which was read the first and second times, and the printing thereof dispensed with, the rules having been first suspended for that purpose.

Mr. Palmer introduced the following resolution, which was adopted, to wit:

"*Resolved*, That hereafter the standing hour for the daily meeting of the council shall be nine o'clock in the morning."

Mr. Whitesides, by leave, introduced

No. 87, (C.) "A bill to dissolve the marriage contract between Edwin Stiles and Rebecca Stiles;"

Which was read the first and second times.

Mr. Whitesides, from the committee on the militia, to whom that subject had been referred, made the following report, to wit:

[*See Appendix.*]

Said report was laid on the table, and

Mr. Palmer moved that one thousand extra copies be printed;

Which was agreed to.

Mr. Holmes, from the committee on territorial expenditures, to whom the same had been referred, reported

No. 88, (C.) "A bill making certain appropriations out of the territorial treasury to pay certain debts therein named;"

Which was read the first and second times, and the printing thereof dispensed with.

Mr. McCartney, from the committee on agriculture and manfactures, made the following report, to wit:

"The committee to whom was referred the petition of John Scannel, praying to be divorced from his wife Ann Scannel, beg leave to

REPORT:

That they have had the same under consideration, and from the facts in the case, as gathered from the evidence on the part of the petitioner, are clearly of the opinion that it is one of

that meritorious class of applications which should receive the favorable action of the council.

All of which is respectfully submitted.

O. McCARTNEY, Chn."

And also reported,

No. 90, (C.) "A bill for the relief of John Scannell;"

Which was read the first and second times.

Mr. Holmes, by leave, introduced

No. 89, (C.) "A bill requiring the superintendent of territorial property to perform certain duties;"

Which was read the first and second times.

Mr. Manahan, from the committee on engrossment, reported as correctly engrossed,

No. 79, (C.) "A bill to authorize J. Sprague Pardee to construct and maintain a dam across Fox river on section No. three, town twelve, range ten, in Columbia county;"

No. 80 (C.) "A bill to incorporate the Fond du Lac and Beaver Dam road company;"

No. 82, (C.) "A bill to repeal an act entitled 'an act to incorporate the village of Geneva and all the acts amendatory thereto,'"

No. 81, (C.) "A bill to authorize the laying out a territorial road from Sheboygan to Fond du Lac, and to levy a special tax to improve the same;" and

No. 77, (C.) "A bill to authorize the inhabitants of Manitowoc to build a bridge across the Manitowoc river."

Mr. Manahan, from the select committee to whom that subject had been referred, made the following report, to wit:

The select committee to whom was referred bill

No. 47, (H. of R.) "A bill incorporating the Sinsinawa Mound College, and for other purposes,"

Have had the same under consideration, and would respectfully report the same back to the council without amendment, and recommend it to their favorable action, and ask to be discharged from any further consideration thereof.

B F. MANAHAN,

Ch'n select committee.

The said committee was discharged from the further consideration of the subject.

The message from the house of representatives was then taken up.

The amendments of the house to

No. 21, (C.) "A bill to provide for the payment of the heirs of the late Thomas Burnett, deceased, for reporting the decisions of the supreme court of the territory of Wisconsin;" and

No. 31, (C.) "A bill to incorporate the Southport and Beloit road company,"

Were severally concurred in.

The question then recurred on concurring in the amendments of the house to

No. 34, (C.) "A bill to establish certain territorial roads therein named," when

Mr. Lovell moved to amend the first amendment of the house by inserting

Section —. That John McCoy, E. D. Robbins, and Joseph White, be and they are hereby appointed commissioners to lay out a territorial road, commencing at Southport, thence to D. Stevens, thence to Walkers, Baily, thence to Noxon's Corners, thence to Liberty, thence to Wilmot, thence along the south line of the territory, as near as the ground and circumstances will admit, to Beloit;

Which was agreed to.

The amendment as amended was then concurred in.

The second amendment was concurred in,

Mr. Lovell moved to amend the third amendment, as follows, by adding:

"Provided, That nothing herein contained shall be so construed as to prevent any person aggrieved by the establishment of said road, from obtaining his damages by agreement with the commissioners of highways of said town of Yorkville, or by the intervention of a jury as now provided by law, at any time within six months from the passage of this act;"

Which was agreed to.

The question was then put on concurring in the fourth amendment, which was to amend by adding as

Section 16. That the acts of the commissioners of highways

of the town of Emmett, Dodge county, in altering the territorial road from Watertown to Oak Grove, in said town of Emmett, are hereby declared to be valid, and said alterations are confirmed, anything in the law of this territory to the contrary notwithstanding.

And was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Holmes, Palmer, Phelps, White, Whitesides, and Wells, (President,)—7.

Those who voted in the negative, were

Messrs. Collins, Darling, Lovell, McCartney, and Turner,—5.

The amendment as amended was then concurred in.

Bills Nos. 75, (H. of R.) "A bill to dissolve the marriage contract between Edward B. Tenney and his wife, Harriet A. Tenney;"

No. 92, (H. of R.) "A bill to incorporate the Port Ulloa and Grafton road company;"

No. 106, (H. of R.) "A bill to authorize William Noble to keep and maintain a ferry across Lake St. Croix, at the mouth of Willow river, in St. Croix county;"

No. 105, (H. of R.) "A bill for an act to legalize the official acts of Charles S. Peasley, late justice of the peace of Dane county;"

No. 104, (H. of R.) "A bill to authorize the adjutant general to draw on the treasurer for money to meet certain expenses;"

No. 99. (H. of R.) "A bill to authorize the voters of La-Fayette county to vote for re-locating the county seat thereof;"

No. 98, (H. of R.) "A bill to divorce Penjamin M. Coates from his wife, Leeldra Coates;"

No. 97, (H. of R.) "A bill to legalize the acts of the trustees of the village of Beloit, in vacating certain streets therein;" and

No. 94, (H. of R.) "A bill for an act in relation to holding the district court in Sauk county;"

Were severally read the first and second times.

On motion of Mr. Lovell,

"Resolution of thanks to John H. Stevens,"

Was laid upon the table.

Mr. Darling, from the committee on enrolled bills, reported as correctly enrolled,

"Joint resolution fixing the compensation of the officers of the present legislative assembly;"

"An act to amend the sixth section of an act to provide for laying out certain territorial roads therein named, approved Feb. 11, 1847;"

"An act to divorce John Curtis from his wife, Ann Amanda Curtis;"

"An act to divide the town of Centre, in Rock county, and to organize the town of Plymouth;"

"An act to provide for the payment to John Catlin a sum therein named;" and

"An act granting to Chester Matson the right to keep and maintain a ferry across the Wisconsin river."

No. 79, (C.) "A bill to authorize J. Sprauge Pardee to construct and maintain a dam across Fox river, on section No. 3, town 12, range 10 in Columbia county;"

No. 80, (C.) "A bill to incorporate the Fond du Lac and Beaver Dam road company;"

No. 82, (C.) "A bill to repeal an act entitled, 'an act to incorporate the village of Geneva,' and all acts amendatory thereto;"

No. 78, (C.) "A bill to provide for the laying of certain territorial roads therein named;"

No. 81, (C.) "A bill to authorize the laying out a territorial road from Sheboygan to Fond du Lac, and to levy a special tax to improve the same;" and

No. 77, (C.) "A bill to authorize the inhabitants of Manitowoc to build a bridge across the Manitowoc river;"

Were severally read the third time, passed, and the titles thereof were agreed to.

No. 93, (H. of R.) "A bill for an act to make an appropriation to bring the body of the late captain Augustus Quarles to the territory for interment;"

Was read the third time; and

On motion of Mr. Collins,

Said bill was laid on the table.

No. 83, (H. of R.) "A bill to authorize the construction of a dam across the Pecatonica river, in Green county;"

No. 72, (H. of R.) "A bill to legalize certain roads in the town of Salem;"

No. 108, (H. of H.) "An act to amend an act entitled, 'An act to amend an act entitled an act for assessing and collecting county revenue, and for other purposes;" and

No. 85, (H. of R.) "A bill for an act to adjust the matters in controversy between the territory and the building committee;"

Were severally read the third time, passed, and the titles thereof were agreed to.

A message from the house of representatives by their chief clerk:

"Mr. President: The house of representatives have passed

No. 13, (C.) 'A bill concerning conveyances of real estate;'

With amendments, in which the concurrence of the council is requested.

And have also passed

No. 103, (H. of R.) 'A bill for an act authorizing the construction of electric telegraph lines in Wisconsin:' and

'Resolution relative to the committee to superintend the publication of the journal of the late convention;'

In which the concurrence of the council is requested"

No. 78, (H. of R.) "A bill for an act to divorce Cynthia B. Ward from her husband Henry Ward;"

Was then read the third time.

And the question having been put on the passage of the same,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling, Manahan, McCartney, Phelps, Turner, Whitesides and Wells, (president,)—9.

Those who voted in the negative, were

Messrs. Holmes, Lovell, Palmer and White,—4.

So the said bill passed, and the title was agreed to.

No. 79, (H. of R.) "A bill for an act to divorce Oliver Coon from his wife Nancy Coon;"

Was read the third time.

And the question having been put on the passage of the same,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, McCartney, Phelps, Turner, and Whitesides, —5.

Those who voted in the negative, were

Messrs. Collins, Darling, Lovell, Manahan, Palmer, White and Wells, (president,)—7.

So the said bill was rejected.

No. 76, (H. of R.) "A bill for an act to divorce Edward Hedggins from his wife Eliza Jane Hedggins;"

Was read the third time.

And the question having been put on the passage of the same,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Manahan, McCartney, Turner and Whitesides,—5.

Those who voted in the negative, were

Messrs. Collins, Darling, Holmes, Lovell, Palmer, White and Wells, (president,)—7.

So the said bill was rejected.

No. 71, (H. of R.) "A bill to incorporate the Milwaukee and Beaver Dam rail road company;"

Was read the third time, passed, and the title thereof was agreed to.

No 47, (H. of R.) "A bill to incorporate the Sinsinawa Mound College, and to exempt college property from taxation;"

Was then taken up.

On motion of Mr. Manahan,

Said bill was recommitted to the committee of the whole.

The amendments of the committee of the whole to

No. 73, (H. of R.) "A bill to incorporate the Nenah and Manitowoc plank road company;"

Were non-concurred in;

And said bill was ordered to be read the third time.

And the rule having been first suspended for that purpose;

Said bill was read the third time, passed, and the title thereof was agreed to.

The rules having been first suspended for that purpose;

The council then resolved itself into committee of the whole, for the consideration of the general file of bills;

Mr. Lovell in the chair.

And after some time spent therein the committee rose, and by their chairman reported progress thereon, and asked leave to sit again.

Leave was granted.

A message from his excellency the Governor by George P. Delaplaine, Esq., his private secretary:

"Mr. President: I am directed by the Governor to inform you that he did, on the 6th inst., approve, sign, and deposite in the office of the secretary of the territory,

'An act to authorize the construction of a dam across Fox river, and for other purposes;'

'An act to dissolve the marriage contract between Daniel Hiler and Sarah Hiler;'

'An act to establish the seat of justice of the county of Columbia;'

'An act to define the boundaries of Fond du Lac county, and the jurisdiction of counties to Lake Winnebago, also to legalize the acts of said county;'

'An act for the relief of the town of Turtle, in Rock county;'

'An act to incorporate the Racine and Rock river plank road company.'"

A message from the house of representatives by their chief clerk:

"Mr. President: The house of representatives have passed,

No. 109, (H. of R.) 'A bill in relation to certain school districts therein named;' and

No. 110, (H. of R.) 'A bill to organize the county of Marquette for judicial purposes;'

In which the concurrence of the council is requested."

On motion of Mr. Darling,

The council took a recess until half past two o'clock, P. M.

HALF PAST TWO O'CLOCK, P. M.

Mr. Clark, from the committee on territorial affairs, made the following report, to wit:

The committee on territorial affairs, to whom was referred No. 26, (H. of R.) "A bill to divorce John Dawson from his wife, Sarah Dawson,"

Would respectfully

REPORT:

That they have had the subject matter of the petition under consideration, and are unanimous in the opinion that the facts set forth by the petitioner, John Dawson, are not sufficiently authenticated by testimony to warrant your committee in recommending the favorable action of the council, and would therefore recommend that the prayer of the petitioner be denied, and your committee ask to be discharged from any further consideration of the subject.

HENRY CLARK, Ch'n.

Said report was accepted and the committee was discharged from the further consideration of the subject.

Mr. Clark, from the same committee, made the following report, to wit:

The committee on territorial affairs, to whom was referred No. 24. (H. of R.) "A bill to divorce Mildred Jarrett from her husband, John Jarrett,"

Would respectfully

REPORT:

That they have had the same under consideration, and have been enabled by the testimony before them to arrive at the following facts and conclusions: That the said parties were legally married in the year A. D. 1839, and that they lived harmoniously together for about seven years, when, without any cause on the part of the said Mildred Jarrett, the said John Jarrett did,

in the month of October, 1845, wilfully abandon his wife and children, leaving her and four children entirely destitute of support; and that the said Jarrett, after leaving his family, took up his abode in a house of *ill fame*; and that the said Mildred Jarrett, the wife, frequently and earnestly solicited his return to his said family, and that he peremptorily refused; that the said John Jarrett, after living some time at the said house of ill-fame, took one of its inmates, a known public prostitute, by the name of "Kit," and left with her for parts unknown, and has not since returned to his family.

In view of these aggravated circumstances, and the entire abandonment of the wife and children, by the abandoned father and profligate husband, your committee would recommend the said bill to the favorable consideration of the council.

HENRY CLARK, Ch'n.

The report was accepted, and the committee discharged from the further consideration of the subject.

Mr. Holmes moved that the house of representatives be requested to return to the counail for their further action, bill No. 85, (H. of R;)

Which was agreed to.

Mr. Palmer by leave, introduced

No. 91, (C.) "A bill to divorce John W. Evans from his wife Sarah Jane Evans;"

Which was read the first and second times, and the printing was dispensed with.

And also reported

No. 92, (C.) "A bill concerning common schools in the village of Beloit;"

Which was read the first and second times.

Mr. Darling, from the committee on enrolled bills, reported as correctly enrolled

"An act to divorce Cynthia B. Ward from her husband Henry Ward;" and

"An act to authorize the construction of a dam across the Pecatonica river, in Green county."

The council then resolved itself into committee of the whole for the consideration of the general file of bills.

Mr. Lovell in the chair;

And after some time spent therein, the committee rose and by their chairman reported

Bills Nos. 106, 81, 104, 77, 75, 78, 79, 94, 97, (H. of R.) and 81, (C.) without amendments; and

Bills Nos 91, 99, 92, 105, 43, 88, 47, 96, (H. of R.) and No. 83, (C.) "A bill to authorize the supervisors of the town of Watertown, in the county of Jefferson, to levy a special tax to build a bridge across Rock river;"

With amendments to each.

No. 84, (C.) "A bill to amend the act incorporating the University of Wisconsin;"

Was ordered to be engrossed and read the third time; and

Bills Nos. 94 and 97 (H. of R.)

Were severally ordered to be read the third time.

The question was then put on ordering

No. 98, (H. of R.) "A bill to divorce Benjamin Coates from his wife Leeldra Coates;"

To be read the third time,

And was decided in the negative.

So the said bill was rejected.

The question was then put on ordering

Bill No. 75, (H. of R.)

To be read the third time;

And was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Darling, Manahan, McCartney, Phelps, Turner, Whitesides, and Wells, (President,)—8.

Those who voted in the negative were,

Messrs. Collins, Holmes, Lovell, Palmer, and White,—5.

So the said bill was read the third time.

The rules having been first suspended for that purpose;

And the question having been put on the passage of the said bill,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Darling, Manahan, Phelps, Turner, Whitesides, and Wells, (President,)—7.

Those who voted in the negative were,

Messrs. Collins, Holmes, Lovell, McCartney, Palmer and White,—6.

So the said bill passed, and the title thereof was agreed to.

On motion of Mr. Palmer,

No. 77, (H. of R.) was referred to the committee on the judiciary.

Bills Nos. 104, 81 and 106 (H. of R) were severally ordered to be read the third time.

The amendments of the committee of the whole to

Bills Nos. 91, 105, 92 43, and 99 (H. of R.) were severally concurred in;

And said bills were ordered to be read the third time.

The amendments of the committee of the whole to

Bill No. 83, (C.) were concurred in;

And said bill was ordered to be engrossed for a third reading.

The rules having been first suspended for that purpose;

Bill No. 43, (H. of R.) was then read the third time, passed, and the title thereof agreed to.

On motion of Mr. McCartney,

Bill No. 88, (H. of R.) was referred to the committee on county and township organization.

The amendments of the committee of the whole to

Bill No. 47, (H. of R.) were then concurred in, and said bill was ordered to be read the third time.

The rules having been first suspended for that purpose;

Said bill was read the third time, passed, and the title was agreed to.

The question then recurred in concurring with the amendments of the committee of the whole to

Bill No. 96, (H. of R.)

Mr. Lovell called for a division of the question.

The first and second amendments were then concurred in.

The question being on concurring with the third amendment;

Mr. Clark moved to amend the same by adding:

Sec. 3. That the sum of two hundred dollars be, and the same is hereby appropriated to the widow of the late James

Magone, who died in Mexico whilst in the service of his country.

Sec. 4. That the auditor of the territory be, and hereby is directed to issue to the said widow warrants on the territorial treasury, for the above sum when applied for by her, or by an agent duly authorized to act in her behalf; and the treasurer is hereby authorized to pay the same.

Which was disagreed to.

The question recurred on concurring with the third amendment

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Collins, Darling, Manahan, McCartney, Palmer, Phelps, White, Whitesides, and Wells, (President,) —10.

Those who voted in the negative were,

Messrs. Holmes, Lovell, and Turner,—3.

The amendment was adopted.

The question was then put on ordering said bill to be read the third time,

And was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling, McCartney, Phelps, and White,—6.

Those who voted in the negative, were

Messrs. Holmes, Lovell, Manahan, Palmer, Turner, Whitesides, and Wells, (president,)—7.

The council refused to order said bill to be read the third time.

Mr. Darling, from the committee on enrolled bills, reported as correctly enrolled,

"An act to amend the charter of the village of Racine."

The amendments of the house to bill No. 13, (C.) were then concurred in, and

No. 109, (H. of R.) "A bill in relation to certain school districts therein named;"

No. 110, (H. of R.) "A bill to organize the county of Marquette for judicial purposes;" and

No. 103, (H. of R.) "A bill for an act authorizing the construction of electric telegraphs in Wisconsin;"

Were severally read the first and second times.

"Resolution relative to the committee to superintend the publication of the journal of the late convention,"

Was then passed.

A message from the house of representatives by their chief clerk:

"Mr. President—I am directed to present for your signature,

'An act to provide for the payment to John Catlin a sum therein named;'

'An act to divide the town of Centre, in Rock county, and to organize the town of Plymouth;'

'An act to divorce John Curtis from his wife, Ann Amanda Curtis;'

'An act to amend the sixth section of an act to provide for laying out certain territorial roads therein named, approved Feb. 11, 1847;'

'An act granting to Chester Matson the right to keep and maintain a ferry across the Wisconsin river;'

'An act to divorce Cynthia B. Ward from her husband, Henry Ward;'

'An act to authorize the construction of a dam across the Pecatonica river, in Green county;' and

'An act to adjust the matters in controversy between the territory and the building commissioners;'

Which have been signed by the speaker of the house of representatives.

The house have concurred in the amendments of the council to

No. 72, (H. of R.) 'A bill to legalize certain roads in the town of Salem;'

No. 73, (H. of R.) "A bill to incorporate the Neenah and Manitowoc Plank Road Company," and

No. 108, (H. of R.) "An act to amend an act, entitled 'an

act to amend an act entitled an act for assessing and collecting county revenue, and for other purposes;' "

On motion of Mr. Clark,

The Council adjourned.

THURSDAY, March 9, 1848.

The reading of the journal of yesterday was dispensed with.

Petitions, &c., were presented and referred, as follows:

By Mr. Palmer:

A petition of John M. Keep for an act relating to common schools, in the village of Beloit;

Which was laid on the table.

Mr. Holmes, from the committee on the judiciary, made the following report, to wit:

The committee on the judiciary, to whom was referred the petition of Elizabeth Dagee for a divorce from her husband, John Dagee, respectfully

REPORT:

That they have had the same under consideration, and have examined the proofs and allegations of the petitioner; that it is charged in the petition as ground for legislative interference, that the husband is an habitual drunkard, has abandoned his wife, and been guilty of the crime of passing counterfeit money. As to the latter charge, no proofs are offered, except the hearsay of parties, that the recreant husband is now awaiting his trial at Detroit, in the state of Michigan. This kind of evidence is of a character entitled to little weight or credit.

The abandonment charged is alleged to have taken place in

September last. The time, it will be observed, is recent, and the causes or circumstances not clearly set forth. The laws of the territory have made definite provisions in relation to these causes, which your committee do not deem it advisable to interfere with, or in any manner change their legitimate operation.

On the other point, the charge of habitual drunkenness, your committee are of the opinion that the proof is not sufficiently definite to warrant legislative action, even if there was no other objection. But inasmuch as the marriage contract in this case was made and consummated in the territory, and all parties are fully within the jurisdiction of our courts, we are of the opinion that the whole subject should be left to judicial determination, and ask to be discharged from the further consideration of the subject.

J. E. HOLMES,
On the part of the committee.

The report was received, and the committee discharged from the further consideration of the subject.

On motion of Mr. Lovell,

The vote by which the council refused to order

No. 96, (H. of R.) "A bill for an act to make an appropriation to bring the body of the late Capt. Quarles to the territory of Wisconsin,"

To be read the third time, was re-considered.

Mr. Lovell moved to amend by striking out all after enacting clause, and inserting:

Section 1. That there be and hereby is appropriated the sum of three hundred dollars, to be paid out of the treasury of the territory, to defray the expenses of conveying the body of Capt. Augustus Quarles from New Orleans to this territory for interment.

Sec. 2. That the auditor of the territory is hereby authorised to issue warrants for the above sum, to John V. Ayer, who is hereby authorised and requested to act as the agent of the territory in procuring and bringing the body of the said Capt. Augustus Quarles from New Orleans, in a manner befitting the character and dignity of the territory, in noticing the death of one of their distinguished citizens.

Which was adopted, and said bill was ordered to be read the third time.

The rules having first been suspended for that purpose, said bill was read the third time, passed, and the title thereof agreed to.

No. 4, (C.) "Resolution relating to outstanding bonds" Was then taken up.

Mr. Lovell moved to amend by striking out "12th, A. D. 1841," and inserting "18th, A. D. 1842;"

Which was agreed to.

Mr. Clark moved to lay the resolution on the table.

And the question having been put on said motion,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs Clark, and Holmes,—2.

Those who voted in the negative, were

Messrs. Collins, Darling, Lovell, Manahan, McCartney, Palmer, Phelps, Turner, White, Whitesides, and Wells,—11.

Mr. Clark, from the committee on territorial affairs, to whom the same had been referred, reported

No. 91, (C.) "A bill to divorce John W. Evans from his wife, Sarah Jane Evans,"

With a recommendation of the same to the favorable action of the council.

Mr Manahan, from the committee on engrossed bills, reported as correctly engrossed,

No 83, (C) "A bill to authorise the supervisors of the town of Watertown, in the county of Jefferson, to levy a special tax to build a bridge across Rock river;" and

No 84, (C) "A bill to amend the act incorporating the University of Wisconsin."

Mr. Darling, from the committee on enrolled bills, made the following report, to wit;

The committee on enrolled bills report as presented to the Governor for his approval, on the 8th instant:

"An act to provide for the payment of John Catlin a sum therein named;"

"An act granting to Chester Matson the right to keep and maintain a ferry across the Wisconsin river;"

"An act to amend the 6th section of an act to provide for laying out certain territorial roads therein named, approved Feb. 11, 1847;"

"An act to divorce John Curtis from his wife, Ann Amanda Curtis;"

"An act to divide the town of Centre, in Rock county, and to organize the town of Plymouth;"

"An act to divorce Cynthia B. Ward from her husband, Henry Ward;"

"An act to authorize the construction of a dam across the Pecatonica river, in Green county;"

"Joint resolution fixing the compensation of the officers of the present session of the legislative assembly."

And also report as correctly enrolled,

"An act to authorize Barton Salisbury to construct a dam across the Milwaukee river,"

"An act to legalize certain roads in the town of Salem;"

"An act to amend an act entitled 'an act to amend an act entitled an act for assessing and collecting county revenue, and for other purposes.'"

A message from the house of representatives, by their chief clerk:

"Mr. President:—The Governor has informed the house of representatives that he did, on the 7th inst., approve, sign, and deposite in the office of the secretary of the territory,

'An act to authorize John Morgan to keep and maintain a ferry across Lake St. Croix, at Stillwater, in St. Croix county;'

'An act to authorize the treasurer of the town of Madison to disburse school moneys,'

'An act to change the name of Emily Jane Ring to that of Emily Jane Hyer, and make her the legal heir at law of Nathaniel F. Hyer and Frances E. Hyer;'

'An act to authorize the road commissioners of the town of Rochester to levy a tax to build a bridge across Fox River;'

'An act for the relief of Nathaniel B. Holman;'

'An act to amend an act entitled an act to provide for the destruction of wolves;'

'An act to change the name of Christian W. Schwartz;'

'An act for altering and laying out a certain territorial road therein named;' and

On the 8th inst.,

'An act to divorce Cynthia B. Ward, from her husband, Henry Ward;'

'Joint resolution fixing the compensation of the officers of the present session of the legislative assembly.'

I am directed to present for your signature,

'An act to legalize certain roads in the town of Salem;'

'An act to amend an act entitled an act to amend an act entitled an act for assessing and collecting county revenue, and for other purposes;'

'An act to authorize Barton Salisbury to construct a dam across the Milwaukee river;' and

'An act to amend the charter of the village of Racine;'

Which have been signed by the Speaker of the house of representatives.

I am directed to return to the council for their further action,

No. 85, (H. of R.) 'A bill for an act to adjust the matters in controversy between the territory and the building committee.'"

A message from his excellency the Governor, by his private secretary, Geo. P. Delaplaine, Esq.:

"Mr. President—I am directed by the Governor to inform you that he did, on the 8th inst., approve, sign, and deposite in the office of the secretary of the territory,

'An act to amend the 6th section of an act to provide for laying out certain territorial roads therein named, approved February 11, 1847;'

'An act granting to Chester Matson the right to keep and maintain a ferry across the Wisconsin river;'

'An act to divide the town of Center, in Rock county, and to organize the town of Plymouth;'

'An act to provide for the payment of John Catlin a sum therein named;'

'An act to divorce John Curtis from his wife, Ann Amanda Curtis.'"

Mr. Holmes moved that the council adjourn until half-past 2 o'clock, P. M.

And the question having been put,

And was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Darling, and Holmes,—3.

Those who voted in the negative, were

Messrs. Collins, Lovell, Manahan, McCartney, Palmer, Phelps, Turner, White, Whitesides, and Wells, (president,)—10.

Mr. Wells moved the previous question.

And the question having been put,

"Shall the main question be now put?"

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Collins, Lovell, Manahan, McCartney, Palmer, Phelps, Turner, White, Whitesides, and Wells, (president,)—10.

Those who voted in the negative, were

Messrs. Clark, Darling, and Holmes,—3.

The question was then put on the adoption of said resolution,

And was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were

Messrs. Collins, Holmes, Lovell, Manahan, McCartney, Palmer, Phelps, Turner, White, Whitesides, and Wells, (president,)—11.

Those who voted in the negative were

Messrs. Clark and Darling,—2.

On motion of Mr. Clark,

The council adjourned until half-past two o'clock, P. M.

HALF-PAST TWO O'CLOCK, P. M.

On motion of Mr. McCartney,

The vote was re-considered on ordering No. 98, (H. of R.) "A bill to divorce Benjamin M. Coats, from his wife Leeldra Coats," to be read the third time.

On motion of Mr. McCartney,

Said bill was laid on the table.

Mr. Collins moved to take up

No. 85, (H. of R.) "A bill for an act to adjust the matters in controversy between the territory and the building committee;"

Which was agreed to.

Mr. Lovell moved to reconsider the vote on the passage of said bill;

Which was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Darling, Holmes, Lovell, Manahan, Palmer, Phelps, White, Whitesides, and Wells, (President,)—9.

Those who voted in the negative were,

Messrs. Clark, Collins, McCartney, and Turner,—4.

On motion of Mr. Palmer,

Said bill was referred to the committee on the judiciary.

Mr. Holmes moved to re-consider the vote on the passage of No. 43, (H. of R.) "A bill to organize certain towns therein named;"

Which was agreed to.

On motion of Mr. Holmes,

Said bill was recommitted to the committed to the committee of the whole.

A message from the house of representatives by their chief clerk:

"Mr. President—I am directed to request the Hon. president of council, to return to the house, for their further action the enrolled copy of

No. 85, (H. of R.) 'An act to adjust the matters in controversy between the territory and the building committee.'

The house of representatives have passed

No. 16, (C.) 'A bill for the relief of Crawford county relative to taxes;'

No. 57, (C.) 'A bill to incorporate the Sheboygan and Fond du Lac Road Company;'

No. 80, (C.) 'A bill to incorporate the Fond du Lac and Beaver Dam Road Road Company;'

No. 81, (C.) 'A bill to authorize the laying out of a territorial road from Sheboygan to Fond du Lac and to levy a tax to improve the same;'

No. 41, (C.) 'A bill to change the name of William Henry Hill to that of William Henry Gardner;'

No. 42, (C.) 'A bill amendatory of the acts to organize school district No. 1, in Fond du Lac, for special purposes;'

No. 48, (C.) 'A bill to divorce Acsah Case from her husband Isaac R. Case;'

No. 50, (C.) 'A bill to authorize school district No. 1, in the town of Summit to levy a tax for the purpose of paying the expenses of building a school house;'

No. 53, (C.) 'A bill to amend 'an act for the government of the several towns in the territory, &c.''

No. 56, (C.) 'A bill for the relief of Jane Ann Charter;'

No. 55, (C.) 'A bill to vacate a part of Langdon street, in the town of Madison;'

No. 38, (C.) 'A bill to provide for the incorporation of Cemetery associations;'

No. 68, (C.) 'A bill to legalize the official acts of the school commissioners of the town of Metomon;'

No. 59, (C.) 'A bill to authorize Cicero Comstock and Charles H. Williams to build and maintain a dam across the Milwaukee river;'

No. 60, (C.) 'A bill to amend an act entitled 'an act to incorporate the village of Southport;''

No. 61, (C.) 'A bill to amend an act entitled 'an act to amend an act to provide for the government of the several towns in this territory, and for the revision of county government;''.

No. 69 (C,) 'A bill in relation to a highway in the county of Racine;'

No. 73, (C.) 'A bill to establish the county of Adams;'

No. 75, (C.) 'A bill to amend an act entitled 'an act to provide for levying a tax on Waterville joint school district, in the county of Waukesha;'

No. 76, (C.) 'A bill to authorize the construction of a dam across the north branch of Fox river;'

No. 77, (C.) 'A bill to authorize the inhabitants of the village of Manitowoc to build a bridge across the Manitowoc river;'

No. 52, (C.) 'A bill to provide for the publication of legal and other notices in the several counties in this territory;'

No. 54, (C.) 'A bill to amend an act to incorporate the village of Madison, and for other purposes;'

No. 62, (C.) 'A bill to legalize certain acts of the supervisors of the town of Madison;'

No. 37, (C.) 'A bill to incorporate the Port Washington, Horicon, and Beaver Dam Turnpike Company;'

No. 39, (C.) 'A bill to incorporate the Horicon and Marquette Plank Road Company,' and

No. 43, (C.) 'A bill to incorporate the Milwaukee and Rock River Plank Road Company;'

The six last with amendments,

In which the concurrence of the council is requested.

And have also passed

No. 78, (C.) 'A bill to provide for laying out certain territorial roads therein named;'

No. 79, (C.) 'A bill to authorize J. Sprague Pardee, to construct and maintain a dam across Fox river;'

No. 102, (H. of R.) 'A bill for an act to incorporate the Madison and Oconomowoc Plank Road Company;'

No. 111, (H. of R.) 'A bill to vacate part of the plat of the city of Superior;'

No. 112, (H. of R.) 'A bill to legalize certain acts of the commissioners of highways of the towns of Whitewater and Salem;'

No. 113, (H. of R.) 'A bill to amend an act entitled 'an act to incorporate the trustees of the village of Mineral Point;''

No. 116, (H. of R.) 'A bill to organize certain towns, and for other purposes;'

No. 117, (H. of R.) 'A bill in relation to certain school districts therein named;'

No. 118, (H. of R.) 'A bill for an act to incorporate the first Pesbyterian society of Cottage Grove, in Dane county;'

No, 120, (H. of R.) 'A bill to divorce Benjamin Grant from his wife Mary Grant;'

No. 5, (H. of R.) 'Resolution in relation to canal lands;'

No. 4, (H. of R.) 'Memorial to Congress upon the subject of a rail road from Lake Michigan to the Pacific, as proposed by Mr. Whitney;'

No. 5, (H. of R.) 'Memorial to Congress praying that Fort Howard may be vacated, and the reservation of lands thereto attached for military purposes may be sold;'

No. 6, (H. of R.) 'Memorial to the President in relation to the sale of certain lands;' and

No. 8, (H. of R.) 'Memorial to Congress praying for an amendment to the law granting pre-emption rights;'

In which the concurrence of the council is requested."

On motion of Mr. Whitesides,

No. 31, (H. of R.) "An act for the relief of John Hooper and Lucinda F. Hooper;"

Was then taken up.

The rules having been first suspended for that purpose;

The question was then put on reconsidering the vote on the passage of said bill;

And was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Collins, Darling, Holmes, McCartney, Phelps, Turner, and Whitesides,—8.

Those who voted in the negative were,

Messrs. Lovell, Palmer, White, and Wells, (president,)—4.

On motion of Mr. Holmes,

Said bill was laid on the table.

Mr. Lovell moved to take up

No. 24, (H. of R.) "A bill to divorce Mildred Jarritt from her husband John Jarritt;"

Which was agreed to.

And said bill was referred to the committee on the judiciary.

Mr. Darling from the committee on enrolled bills, made the following report, to wit:

The committee on enrollment report as presented to the Governor for his approval;

'An act legalizing certain roads in the town of Salem;'

'An act to amend an act entitled an act, to amend an act entitled an act for assessing and collecting county revenue, and for other purposes;'

'An act to amend the charter of the village of Racine;'

'An act to authorize Barton Salisbury to construct a dam across the Milwaukee river;' and

'An act to provide for the payment of the heirs of the late Thomas P. Burnett deceased, for reporting the decisions of the supreme court of the territory of Wisconsin.'

The message from the house of representatives

Was then taken up.

And the question having been put on concurring in the amendments of the house to

No. 37, (C.) "A bill to incorporate the Port Washington, Horicon, and Beaver Dam turnpike company;"

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Darling, Holmes, Lovell, Manahan, McCartney, Turner, and White,—7.

Those who voted in the negative were,

Messrs. Clark, Collins, Palmer, Phelps, Whitesides, and Wells, (President,)—6.

No. 52, (C.) "A bill to provide for the publication of legal and other notices, in several counties in this territory;"

Was then taken up, and the amendments of the house thereto were severally concurred in.

No. 54, (C.) "A bill to amend an act entitled, 'An act to incorporate the village of Madison, and for other purposes;'"

Was then taken up, and the amendments of the house to said bill were severally concurred in.

No. 62, (C.) "A bill to legalize certain acts of the supervisors of the town of Madison;"

Was then taken up, and the amendments of the house thereto were severally concurred in.

No. 43, (C.) "A bill to incorporate the Milwaukee and Rock river company;"

Was then taken up;

And the question having been put on concurring in the amendments of the house to said bill,

Mr. Turner called for a division of the question.

The question was then put on concurring in the first amendment, which was, insert in the sixth line, before the name of Davenport Rood, the following names:

'Harvey Birchard, Charles Hart, Silas M. Brown and Geo. D. Dousman;"

Which was agreed to.

The question was then put on concurring in the second amendment,

Which was to insert after the word "of" in the third line, section No. two, the word "Wauwotosa;"

And the amendment was non-concurred in.

A message from the house of representatives by their chief clerk:

"Mr. President: I am directed to present for your signature

'An act to provide for the payment of the heirs of the late Thomas P. Burnett deceased, for reporting the decisions of the Supreme court of the territory of Wisconsin;'

Which has been signed by the speaker of the house of representatives.

I am directed to inform the honorable council that seats have been prepared for their accommodation in the representatives hall, during the convention of the two houses, for the purpose of electing certain officers, and that the house of representatives are now ready to meet in such convention."

On motion of Mr. Lovell,

The council adjourned to the representatives hall, to meet in joint convention to elect certain territorial officers for the ensuing year.

The members of the council thereupon proceeded to the hall of the house of representatives for that purpose.

And the business of the convention having been concluded, and the members of the council having returned to their chamber,

Mr. Lovell, who had been appointed teller for that purpose, on the part of the council, reported the following as the proceedings, and the result of said election:

IN CONVENTION OF BOTH HOUSES, MARCH 9, 1848.

On motion of Mr. Lovell,

The convention proceeded to the election of territorial printer.

Mr. Lovell on the part of the council, and Mr. Cothren on the part of the house, were appointed as tellers.

Mr. Palmer nominated H. A. Tenney.

And the votes having been taken and counted,

The tellers reported that the whole number of votes given for that office, were 35

Necessary to a choice,..... 18

Of which

H. A. Tenney received..... 23

Wm. W. Wyman,..... 9

Blank,..... 1

Beriah Brown,..... 2

And thereupon the president declared that Horace A. Tenney, having received a majority of all the votes given, was duly elected territorial printer for the ensuing year.

On motion of Mr. Turner,

The convention proceeded to the election of superintendent of territorial property.

And the votes having been taken and counted,

The tellers reported that the whole number of votes given for that office, were 35

Necessary to a choice,..... 18

Of which

J. Gillett Knapp received..... 23
Blank,..... 2
E. M. Williamson,..... 10

And thereupon the president declared that J. G. Knapp, having received a majority of all the votes given, was duly elected superintendent of territorial property for the ensuing year.

On motion of Mr. Manahan,

The convention proceeded to the election of register of the canal lands.

And the votes having been taken and counted,

The tellers reported that the whole number of votes given for that office, were 35
Necessary to a choice,..... 18
Of which
John White received..... 29
Blank,..... 6

And thereupon the president neclared that John White, having received a majority of all the votes given, was duly elected register of the canal lands for the ensuing year.

On motion of Mr. White,

The convention proceeded to the election of receiver of canal lands.

And the votes having been taken and counted,

The tellers reported that the whole number of votes given for that office, were..... 35
Necessary to a choice,..... 18
Of which
David Merrill received..... 28
Blank,..... 7

And thereupon the president declared that David Merrill, having received a majority of all the votes given for that office, was duly elected receiver of the canal lands, for the enuing year.

On motion of Mr. Darling,

The convention adjourned.

Mr. Darling, from the committee on enrolled bills, reported as correctly enrolled,

"An act to incorporate the Neenah and Manitowoc plank road company;"

"An act in relation to a highway in the county of Racine;"

"An act to amend an act, entitled 'an act to provide for levying a tax on Waterville joint school district, in the county of Waukesha;"

"An act to authorize the construction of a dam across the north branch of Fox river;" and

"An act to authorize the inhabitants of the village of Manitowoc to build a bridge across the Manitowoc river."

No 39, (C.) "A bill to incorporate the Horicon and Marquette plank road company,"

Was then taken up.

And the amendments of the committee of the whole to said bill were then severally concurred in.

Bills Nos. 102, 112, 113, 116, 117, 118, 120, resolution No. 5, memorials Nos. 4, 5, 6, 7, and 8, were severally read the first and second times.

No. 84, (C.) "A bill to amend the act incorporating the university of Wisconsin;"

No. 83, (C.) "A bill to authorize the supervisors of the town of Watertown, in the county of Jefferson, to levy a special tax to build a bridge across Rock river;"

No. 106, (H. of R.) "A bill to authorize William Noble to keep and maintain a ferry across Lake St. Croix, at the mouth of Willow river, in St. Croix county;"

No. 104, (H. of R.) "A bill to authorize the adjutant general to draw on the treasurer for money to meet certain expenses;"

No. 94, (H. of R.) "A bill for an act in relation to holding the district court in Sauk county;"

Were severally read the third time, passed, and the titles thereof were agreed to.

No. 92, (H. of R.) "A bill to incorporate the Port Ulpa and Grafton road company,"

Was read the third time, when

Mr. Collins moved to lay the said bill on the table.

Which was disagreed to.

The said bill was then passed, and the title thereof was agreed to.

No. 99, (H. of R.) "A bill to authorize the voters of La-Fayette county to vote for re-locating the county seat thereof;"

No. 97, (H. of R.) "A bill to legalize the acts of the trustees of the village of Beloit in vacating certain streets therein named,"

Were severally read the third time, passed, and the titles thereof agreed to.

No. 105, (H. of R.) "A bill for an act to legalize the official acts of Charles S. Peasley, late justice of the peace of Dane county,"

Was then read the third time.

Mr. Lovell asked and obtained the unanimous consent of the council to amend said bill by adding, as section No. 2,

"That the official acts of A. G. Cole, as justice of the peace in and for the county of Racine, shall not be deemed illegal or invalid by reason of any informality or irregularity in his election."

The said bill was then passed, and the title thereof was agreed to.

Bill No. 91, (H. of R.,) "A bill to incorporate the Milwaukee, Hustisford, and Beaver Dam plank road company;" and

No 81, (H. of R.,) "A bill to authorize the commissioners of highways of the town of Lagrange, Walworth county, to discontinue a portion of the territorial road leading from Prairieville to Hart Prairie,"

Were severally read the third time, passed, and the titles thereof agreed to.

Mr. Darling, from the committee on enrolled bills, reported as correctly enrolled,

'An act to provide for the payment of the heirs of the late Thomas P. Burnett, deceased, for reporting the decisions of the supreme court of the territory of Wisconsin;" and

"An act to incorporate the Southport and Beloit road company."

The council then resolved itself into committee of the whole on the general file of bills,

Mr. Collins in the chair.

And after some time spent therein, the committee rose, and by their chairman reported,

Bills Nos. 111, 26, 109, 103, 24, 113, (H. of R.) and 91, 92, 90, 87, (C.)

Without amendments; and

Bills Nos. 110, (H. of R.) and 86, 89, resolution No. 5, (C.)

With amendments to each.

The rules having been first suspended for that purpose,

Bills Nos. 113, 103, and 109, (H of R.)

Were severally read the third time, passed, and the titles thereof were agreed to.

On motion of Mr. Holmes,

No. 87, (H. of R.) was laid upon the table.

Bill No. 24, (H. of R.) was then read the third time.

And the question being on the passage of said bill

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling, Manahan, McCartney, Phelps, Turner, and Whitesides,—8.

Those who voted in the negative, were

Messrs. Holmes, Lovell, Palmer, White, and Wells, (president,)—5.

Bill No. 92, (C.) was read the third time.

And the question having been put on the passage of the same,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling, Lovell, Manahan, McCartney, Palmer, Phelps, Turner, and White,—10.

Those who voted in the negative, were.

Messrs. Holmes, Whitesides, and Wells, (president,)—3.

So the said bill was passed, and the title thereof was agreed to.

Bill No. 111, (H. of R.) was read the third time, passed, and the title thereof was agreed to.

On motion of Mr. Clark,

Bill No. 26, (H. of R.) was laid upon the table.

Bill No 90, (C.) was read the third time, passed, and the title thereof was agreed to.

Bill No. 91, (C.) was then read the time, when

Mr. Collins moved to amend the title thereof, so as to read, "bill for the relief of John W. Evans;"

Which was agreed to.

Resolution No. 5, (C) was then ordered to be engrossed and read the third time.

The amendments of the committee of the whole to bill No. 89, (C.)

Were then concurred in, and said bill was ordered to be engrossed and read the third time.

On motion of Mr. Collins,

Bill No. 43, (H. of R.) was laid upon the table.

The amendments of the committee of the whole to bill No. 110, (H. of R.)

Were severally concurred in, and said bill was ordered to be read the third time.

Mr. Lovell asked leave of absence for Mr. Manahan.

Leave was granted

Mr. Turner presented the accounts of Dean & Co., and Beriah Brown, &c.,

Which were referred to the committee on legislative expenses.

Mr. Lovell moved that the council adjourn;

Which was disagreed to.

Mr. Palmer moved that the council adjourn until half-past two o'clock, P. M.

And the question having been put on said motion,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling, Holmes, Lovell, Manahan, Palmer, and Turner,—8.

Those who voted in the negative, were

Messrs. McCartney, Phelps, White, Whitesides, and Wells, (President,)—5.

So the council adjourned until half-past seven o'clock P. M.

HALF PAST SEVEN O'CLOCK, P. M.

The council resolved itself into committee of the whole, for the consideration of the general file of bills,

Mr. Lovell in the chair.

And after some time spent therein, the committee rose and by their chairman reported

Memorials Nos. 4 and 8, and bill No. 102, (H. of R.)

With amendments to each; and

Bills Nos. 116, 118, 120, 112, Memorials Nos. 5, 6 and 7, and resolution No. 5, (H. of R.)

Without amendment.

The amendments of the committee of the whole to bill No. 102 and memorial No. 8, were severally concurred in; and

Said bill and memorial were ordered to be read the third time.

On motion of Mr. Lovell,

Memorial No. 4, (H. of R.) was laid on the table.

Resolution No. 5, and bill No. 120, (H. of R.) were severally rejected.

Bills Nos. 112, 116, and memorials Nos. 5, 6 and 7,

Were severally ordered to be read the third time.

The question having been put on ordering bills Nos. 118 and 117, (H. of R.) to be read the third time,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Collins, McCartney, and Turner,—3.

Those who voted in the negative, were

Messrs. Clark, Darling, Holmes, Lovell, Phelps, and White, —6.

Mr. Darling presented the account of E. Becson, for publishing the constitution, &c.;

Which was referred to the committee on territorial expendi-

Mr. Turner asked leave of absence for Mr. Phelps.

Leave was granted.

Mr. Collins moved to take up No. 43, (H. of R.)

Which was agreed to.

Mr. Collins moved to amend said bill by striking out all between the words "that," in the first line, and "east," in the fourth line;

Which was agreed to.

Mr. Collins moved further to amend by striking out section No. 11;

And the question having been put on said motion,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Collins, Darling, Manahan, McCartney, and White, —5.

Those who voted in the negative were,

Messrs. Clark, Holmes, Turner, and Wells, (President,)—4.

The said amendment was adopted.

Mr. Lovell moved to amend by filling the blank with "Bloomingdale;"

Which was agreed to.

The said bill was then passed, and the title thereof was agreed to.

Mr. Lovell moved that the council adjourn.

And the question having been put on said motion,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Holmes, Lovell, Palmer, and Wells, (president,)—4.

Those who voted in the negative, were

Messrs. Clark, Collins, Darling, Manahan, McCartney, Phelps, Turner, and White,—8.

On motion of Mr. Darling,

The council adjourned.

FRIDAY, March 10, 1848.

Prayer by the Rev. Mr. Lord.

The reading of the journal of yesterday was dispensed with.

Mr. Lovell, from the committee on engrossed bills, reported as correctly engrossed

No. 5, (C.) "Resolution concerning outstanding certificates for compensation of members and officers of the legislature of A. D. 1841 and 1842."

Mr White presented a petition of inhabitants of the county of Manitowoc, for attaching a part of Brown county to Manitowoc county; also

A petition of John Wilson and 24 others, for the same purpose; also

A petition from the inhabitants of Twin Rivers, for attaching a part of Brown county to Manitowoc county;

Which were severally laid upon the table.

Mr. Holmes, from the committee on the judiciary made the following report, to wit:

The committee on the judiciary to whom was referred the petition of Edwin Stiles to be divorced from his wife Rebecca Stiles respectfully

REPORT:

That said petitioner is a resident of the county of Grant, and is twenty-eight years of age. On the fourth day of December, A. D. 1846, he was married to Rebecca Sloan of the same county, who was twenty-four. From the petitions and accompanying documents, it appears that the wife of the petitioner was what might be called "free and easy," in several respects that will hereafter appear, and that he was most greviously imposed upon in this matrimonial connexion, which he now seeks to dissolve.

The prospect of a happy career that dawned brightly upon

this union, was by adverse fate soon beclouded. The parties after residing together in all the felicity of newly pledged love, for the space of two months—*two little months*, separated to meet no more.

The petition and proofs show that the recreant Rebecca, at the period last mentioned, in so short a time after having plighted her faith at the hymenial alter, without any just cause or provocation peremptorily refused, longer to cohabit with the petitioner, a refusal, in which, after repeated and urgent solicitations on the part of her husband, she strenuously and obstinately persisted. But while this vagrant specimen of poor fallen nature, stubornly refused to admit her legitimate lord to her delicate society, or any participation in her loving embraces, we are assured, that so free and easy was she in her manners to strangers, that she readily and willingly admitted them to those delicate pleasures that belonged exclusively to her husband.

The testimony further shows that this gentle Rebecca in so brief a period had usurped the reigns of government of their joint household, where she assumed entire control, and boastingly said of her confiding Edwin, "she had bundled up his clothes and told him to travel," an order, which it appears, he had the good sense and discretion implicity to obey. From that time to this no further connexion has existed between the parties.

This treacherous Rebecca, after having thus blighted the prospects of her husband, and dashed the cup of bliss from his lips —after turning him abroad, like an unmated bird, to wander alone on the world's wide stage, as herself like a star "that falls to rise no more," sunk into one of those nameless receptacles of debauchery and vice, that are found in the polluted precincts of cities—and that invite the unwary to disease and death.

Such are the statements set forth in this petition, some of which are supported by proof, and others stated upon hearsay and belief. Your committee do not design to underrate the grievances of the petitioner, but conclude by saying, that the parties and the subject matters are within the proper jurisdiction of our courts, from which the petitions upon proper applications and due proof can obtain full and perfect relief; and to which, in our opinion he should resort for a restoration to those

rights from which he has been defrauded. We ask therefore to be discharged from the further consideration of the subject.

J. E. HOLMES,

From the committee on the Judiciary.

The report was accepted, and the committee discharged from the further consideration of the subject.

The same committee to whom had been referred

No. 77, (H. of R.) "A bill for an act to divorce Melinda B. Rogers from her husband Commodore Rogers;"

Reported the same back with a recommendation that no action be taken thereon.

Resolution No. 5, (C.) was read the third time, passed, and the title thereof agreed to.

No. 89, (C.) "A bill requiring the Superintendent of Territorial property to perform certain duties;"

Was read the third time; and

On motion of Mr. Holmes,

Said bill was re-committed to the committee on territorial affairs.

Bill No. 112, (H. of R.) was read the third time, passed, and the title thereof agreed to.

Memorial No. 8, (H. of R.) was read the third time; when

Mr. Clark asked and obtained the unanimous consent of the council to amend by striking out "two years," and insert "ten years."

Said bill was then passed, and the title thereof was agreed to.

Bills Nos. 102, 116, 117, 110, and memorials Nos. 5, 6, and 7 were severally read the third time, passed, and the titles thereof agreed to.

Mr. Darling, from the committee on enrolled bills, reported as correctly enrolled.

"An act to amend an act entitled 'an act to amend an act entitled an act to provide for the government of the several towns in this territory, and for the revision of county government;'"

"An act to authorize Cicero Comstock and Charles H. Williams to build and maintain a dam across the Milwaukee river;"

"An act to amend an act entitled 'an act to provide for the government of the several towns in this territory, and for the revision of county government;"

"An act to authorize school district No. 1, in the town of Summitt to levy a tax for the purpose of paying expenses of building a school house;"

"An act to divorce Acsah Case from her husband Isaac R.

"An act to change the name of William Henry Hill to that of William Henry Gardner;"

"An act amendatory of the acts to organize school district No. 1 in Fond du Lac, and for other purposes;"

"An act for the relief of Jane Ann Charter;"

"An act for the relief of Crawford county relative to taxes;"

"An act to authorize the laying out of a territorial road from Sheboygan to Fond du Lac, and to levy a tax to improve the same;"

"An act in relation to a highway in the county of Racine;"

"An act to amend an act entitled 'an act to provide for levying a tax on Waterville joint school district, in the county of Waukesha;"

"An act to authorize the construction of a dam across the north branch of Fox river;"

"An act to authorize J. Sprague Pardee to construct and maintain a dam across Fox river;"

"An act to provide for the laying out of certain territorial roads therein named;"

"An act to vacate a part of Langdon street in the town of Madison;"

"An act to establish the county of Adams;"

"An act to legalize the official acts of the school commissioners of the town of Metomon;"

"An act to amend an act to incorporate the village of Madison, and for other purposes;"

"An act to provide for the publication of legal and other notices in the several counties in this territory;"

"An act to legalize certain acts of the supervisors of the town of Madison;"

"An act to authorize the inhabitants of the village of Manitowoc to build a bridge across the Manitowoc river;"

"An act to incorporate the Fond du Lac and Beaver Dam road company;"

"An act to incorporate the Horicon and Marquette plank road company;"

"An act to amend an act entitled an act to incorporate the village of Southport;"

"An act to legalize the act of the trustees of the village of Beloit in vacating certain streets therein;"

"An act to divorce Mildred Jarrett from her husband John Jarrett;"

"An act to dissolve the marriage contract between Edwin B. Tenney and his wife Harriet A. Tenney;"

"An act to authorize the commissioners of highways of the town of Lagrange, Walworth county, to discontinue a portion of the territorial road leading from Prairieville to Hart Prairie;"

"An act in relation to holding the district court of Sauk county;"

"An act to authorize the adjutant general to draw on the treasurer for money to meet certain expenses;"

"An act to authorize William Noble to keep and maintain a ferry across Lake St. Croix, at the mouth of Willow river, in the county of St. Croix;"

"An act in relation to certain school districts therein named;"

"An act to amend an act entitled an act to incorporate the trustees of the village of Mineral Point;"

"An act to vacate part of the plat of the city of Superior;"

"An act to incorporate the Milwaukee and Beaver Dam plank road company;" and

"An act authorizing the construction of electric telegraph lines in Wisconsin."

A message from the house of representatives by their chief clerk:

"Mr. President—The house of representatives have passed No. 71, (C.) 'A bill to authorize Platte town school district to raise money to build a school house,'

With amendments, in which the concurrence of the council is requested.

And have also passed

No. 67, (C.) 'A bill to repeal an act entitled 'an act to incorporate the village of Prairieville, approved February 3d, 1846, and all the acts amendatory thereto;' '

No. 125, (H. of R.) 'A bill to authorize the trustees of the town of Potosi to sell certain real estate in said town;'

No. 126, (H. of R.) 'A bill to authorize the trustees of school district No. two, in Waterloo, Jefferson county, to renew a tax warrant;'

No. 127, (H. of R.) 'A bill for an act to divorce Ezra E. Roberts from his wife Harriet L. Roberts;'

No. 130, (H. of R.) 'A bill to legalize the acts of Andrew J. Luce as justice of the peace for the township of Clarkson, in the county of Dane;' and

No. 132, (H. of R.) 'A bill for an act to amend an act entitled 'an act concerning the commencement of actions.' '

In each of which the concurrence of the council is requested."

On motion of Mr. Lovell,

Bill No. 85, (C.) was laid on the table.

No. 98, (H. of R.) "A bill to divorce Benjamin M. Coates from his wife, Leeldra Coates,"

Was then taken up.

And the question having been put on the passage of the same,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. McCartney, and Whitesides,—2.

Those who voted in the negative, were

Messrs. Clark, Collins, Darling, Holmes, Lovell, Palmer, Turner, and Wells, (president,)—8.

No. 87, (C.) "A bill to dissolve the marriage contract between Edwin Stiles and Rebecca Stiles,"

Was then taken up

And the question having been put on the passage of the same,

It was decided in the negative.

Mr. Holmes moved to take up

No. 63, (C.) "A bill to divorce William Livingston Hart from his wife, Eliza Hart;"

Which was agreed to.

And the question having been put on ordering the same to be read the third time,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative were

Messrs. Clark, Darling, McCartney, Turner, and Wells, (president,)—5.

Those who voted in the negative were

Messrs. Collins, Holmes, Lovell, Palmer, White, and Whitesides,—6.

Mr. Lovell, from the committee on the judiciary, reported

No. 24, (C.) "A bill to legalize a road in the town of Yorkville"

Said bill was read the first and second times.

Mr. Turner introduced the following resolution, which was adopted, to wit:

"Resolved, (the house concurring,) That a joint committee of one from each honse be appointed to cancel all bonds, scrip, and other evidences of territorial indebtedness redeemed by the treasurer, and report the same to the legislature."

Mr. Clark, from the committee on territorial affairs, to whom the same had been referred, reported

No. 89, (C.) "A bill requiring the superintendent of territorial property to perform certain duties,"

With amendments.

Said bill was read the second time.

The council then resolved itself into committee of the whole for the consideration of the general file of bills.

Mr. Clark in the chair.

And after some time spent therein, the committee rose and by their chairman reported

Bills Nos 24 and 89, (C.) with amendments to each.

The amendments of the committee of the whole to said bills were severally concurred in, and said bills were ordered to be engrossed and read the third time.

Mr. Clark introduced the following resolution, to wit:

"Resolved, That the honorable councillor from Racine, Mr. White, be and is hereby requested to inform the council whether an article including his protest on the subject of legislative divorce, which appears in the last Racine Advocate, and especially that portion of it showing the vote headed "*black list of divorces*," was furnished by him to that paper, and that he be requested by the council to avow or disavow the authorship of the above objectionable language,

Mr. White moved to amend said resolution by adding as follows, to wit:

"Whereas, during the debate in this body on the — inst., upon the bill amending the laws relative to courts of probate, Mr. Collins, the member from Dane, charged those members who supported the affirmative of the bill, with being operated upon by corrupt influences, and especially casting the imputation of "corruption" into the teeth of Mr. Clark, the member from Walworth; therefore,

Resolved, That the member from Dane be requested to furnish the council with the *proof* upon which he bases such a stigma on the purity and honor of his brother members."

And the question having been put on the adoption of said amendment,

It was decided in the negative.

Mr. Lovell moved to amend by inserting after the word "paper," the words "for publication;"

Which was disagreed to.

The question having been put on the adoption of said resolution,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Clark, Collins, Darling, Holmes, Lovell, McCartney, Palmer, Turner, Whitesides, and Wells, (president,)—10.

None voting in the negative.

Mr. Lovell, from the committee on engrossed bills, reported an correctly engrossed,

Bills Nos. 24 and 89, (C.).

Mr. Darling, from the committee on enrolled bills, reported as correctly enrolled,

"An act to repeal an act, entitled 'an act to incorporate the village of Prairieville,' approved Feb. 2, 1846, and also all the acts amendatory thereto;"

"An act to incorporate the Port Washington, Horicon, and Beaver Dam turnpike company;"

"An act to incorporate the Sheboygan and Fond du Lac road company;" and

"An act to provide for the incorporation of cemetery associations."

On motion of Mr. Lovell,

The council adjourned until 3 o'clock, P. M.

THREE O'CLOCK P. M.

Mr. Darling, from the committee on county and township organization, to whom the same had been referred, reported

No. 88, (H. of R.) with a recommendation that the bill pass.

Mr. Holmes, from the committee on the judiciary, to whom the same had been referred,

Reported Bill No. 85, (H. of R.) with amendments.

Bill No. 89, (C.) was read the third time, passed, and the title thereof was agreed to.

Bill No. 24, (C.) was read the third time, passed, and the title thereof agreed to.

A message from the house of representatives by their chief clerk:

"Mr. President—The house of representatives have passed

No. 124, (H. of R.) 'A bill to provide for laying out and altering certain territorial roads therein named,' and

No. 134, (H. of R.) 'A bill to authorize Franklin school district No. 5, in Platt school town No. 4 in Grant county, to levy a tax for finishing their school house.'

In which the concurrence of the council is requested.

And have concurred in the amendments of the council to

No. 91, (H. of R.) 'A bill for an act to incorporate the Milwaukee, Hustisford and Beaver Dam Plank Road Company;'

No. 47, (H. of R.) 'A bill to incorporate the Sinsinawa Mound College, and to exempt college property from taxation;'

No. 92, (H. of R.) 'A bill to incorporate the Port Uloa and Grafton Road Company;'

No. 99, (H. of R.) 'A bill to authorize the voters of La Fayette county to vote for locating the county seat thereof;'

No. 102, (H. of R.) 'A bill for an act to incorporate the Madison and Oconomewoc Plank Road Company;'

No. 105, (H. of R.) 'A bill for an act to legalize the official acts of Charles S. Peaslee, late justice of the peace of Dane county;'

No. 43, (H. of R.) 'A bill to organize certain towns therein named;' and

No. 96, (H. of R.) 'A bill for an act to make an appropriation to bring the body of the late captain Augustus Quarles to this territory for interment'

The two last with amendments, in which the concurrence of the council is requested.

And have concurred in the amendment of the council to the amendment of the house to

No. 34, (C.) 'A bill to establish certain territorial roads therein named.'

And have receded from their second amendment to

No. 43, (C.) 'A bill to incorporate the Milwaukee and Rock River Plank Road Company.'

And have non-concurred in the amendments of the council to

No. 110, (H. of R.) 'A bill to organize the county of Marquette for judicial purposes.'

And have passed

No. 133, (H. of R.) 'A bill to divorce Eliza Crowley from her husband James Crowley.'

In which the concurrence of the council is requested.

I am directed to present for your signature,

'An act to amend an act entitled 'an act to incorporate the trustees of the village of Mineral Point;''

'An act to vacate part of the plat of the city of Superior;'

'An act in relation to certain school districts therein named;'

'An act to authorize William Noble to keep and maintain a ferry across Lake St. Croix at the mouth of Willow river, in St. Croix county;'

'An act authorizing the construction of electric telegraph lines in Wisconsin;'

'An act to authorize the adjutant general to draw on the treasurer to meet certain expenses;'

'An act to legalize the acts of the trustees of the village of Beloit in vacating certain streets therein;'

'An act in relation to holding the district court of Sauk county;'

'An act to authorize the commissioners of highways of the town of Lagrange, Walworth county, to discontinue a portion of the territorial road leading from Prairieville to Hart Prairie;'

'An act to dissolve the marriage contract between Edwin B. Tenney and his wife Harriet A. Tenney;'

'An act to incorporate the Neenah and Manitowoc Plank Road Company;'

'An act to incorporate the Milwaukee and Beaver Dam Plank Road Company;'

'An act to divorce Mildred Jarrett from her husband John Jarrett;'

'An act to incorporate the Southport and Beloit Road Company;'

'An act concerning conveyances of real estate;'

'An act to divorce Acsah Case from her husband Isaac Case;'

'An act to authorize school district No. 1, in the town of Summit, to levy a tax for the purpose of paying the expenses of building a school house;'

'An act to provide for the laying out of certain territorial roads therein named;'

'An act to authorize J. Sprague Pardee to construct and maintain a dam across Fox river;'

'An act to authorize the construction of a dam across the north branch of Fox river;'

'An act to amend an act entitled 'an act to provide for levying a tax on Watervillc joint school district, in the county of Waukesha;'

'An act in relation to a highway in the county of Racine;'

'An act to legalize the official acts of the school commissioners of the town of Metomon;'

'An act to establish the county of Adams;'

'An act to vacate a part of Langdon street in the town of Madison;'

'An act to amend an act entitled 'an act to provide for the government of the several towns in this territory, and for the revision of county government;'

'An act to amend an act entitled 'an act to amend an act entitled an act to provide for the government of the several towns in this territory, and for the revision of county government, approved April 15, 1843;'

'An act to authorize Cicero Comstock and Charles H. Williams to build and maintain a dam across the Milwaukee river;'

'An act to authorize the inhabitants of the village of Manitowoc to build a bridge across the Manitowoc river;'

'An act to change the name of William Henry Hill to that of William Henry Gardner;'

'An act amendatory of the acts to organize school district No. 1 in Fond du Lac, and for other purposes;'

'An act for the relief of Jane Ann Charter;'

'An act for the relief of Crawford county relative to taxes;'

'An act to authorize the laying out of a territorial road from Sheboygan to Fond du Lac, and to levy a tax to improve the same;'

'An act to amend an act to incorporate the village of Madison, and for other purposes;'

'An act to provide for the publication of legal and other notices in the several counties in this territory;'

'An act to legalize certain acts of the supervisors of the town of Madison;'

'An act to incorporate the Horicon and Marquette plank road company;'

'An act to incorporate the Fond du Lac and Beaver Dam road company;' and

'An act to amend an act entitled an act to incorporate the village of Southport.'

Which have been signed by the Speaker of the house of representatives."

The council resolved itself into committee of the whole, for the consideration of the general file of bills,

Mr. Palmer in the chair.

And after some time spent therein, the committee rose and by their chairman reported

Bills Nos. 86 and 88, (C.) and 85, (H. of R.)

With amendments to each.

The amendments of the committee of the whole to said bill were then severally concurred in; and

Nos. 86 and 88, (C.) were severally ordered to be engrossed and read the third time.

The amendments of the committee of the whole to bill No. 85, (H. of R.)

Were then concurred in, and said bill was ordered to be read the third time.

Mr. Darling moved to amend said bill by striking out "Curtis Reed," and inserting "Benjamin Hunkins;"

Which was agreed to.

Mr. Darling, from the committee on enrolled bills, reported as correctly enrolled,

"An act to provide for the payment of the heirs of the late Thomas P. Burnett deceased, for reporting the decisions of the supreme court of the territory of Wisconsin;"

"An act authorizing the construction of electric telegraph lines in Wisconsin;"

"An act to authorize the commissioners of highways of the town of Lagrange, Walworth county, to discontinue a portion of the territorial road leading from Prairieville to Hart Prairie;"

"An act to legalize the act of the trustees of the village of Beloit, in vacating certain streets therein;"

"An act to authorize the adjutant general to draw on the treasurer for money to meet certain expenses;"

"An act to dissolve the marriage contract between Edwin B. Tenney & his wife Harriet A. Tenney;"

"An act to authorize William Noble to keep and maintain a ferry across Lake St. Croix, at the mouth of Willow river, in St. Croix county;"

"An act to vacate part of the plat of the city of Superior;'

"An act in relation to certain school districts therein named;"

"An act in relation to holding the district court of Sauk county;"

"An act to amend an act entitled 'an act to incorporate the trustees of the village of Mineral Point;'"

"An act concerning conveyances of real estate;"

"An act to amend an act, entitled 'an act to provide for levying a tax on Waterville joint school district, in the county of Waukesha;"

"An act to vacate a part of Langdon street, in the town of Madison;"

'An act to authorize school district No. 1, in the town of Summit to levy a tax for the purpose of paying the expenses of building a school house;"

"An act to establish the county of Adams;"

"An act to incorporate the Southport and Beloit road company;"

"An act to incorporate the Horicon and Marquette Plank Road Company;"

"An act to provide for the publication of legal and other notices, in the several counties in this territory;"

"An act to amend an act entitled 'an act to incorporate the village of Southport;"

"An act to change the name of William Henry Hill to that of William Henry Gardner;"

"An act to authorize the laying out of a territorial road from Sheboygan to Fond du Lac, and to levy a tax to improve the same;"

"An act to amend an act to incorporate the village of Madison, and for other purposes;"

"An act to incorporate the Fond du Lac and Beaver Dam Road Company;"

"An act to legalize certain acts of the supervisors of the town of Madison;"

"An act to authorize the inhabitants of the town of Manitowoc to build a bridge across the Manitowoc river;"

"An act to divorce Mildred Jarrett from her husband, John Jarrett;"

"An act to legalize the official acts of the school commissioners of the town of Metomon;"

"An act for the relief of Jane Ann Charter;"

"An act for the relief of Crawford county relative to taxes;"

"An act to authorize Cicero Comstock and Charles H. Williams to build and maintain a dam across the Milwaukee river;"

"An act amendatory of the acts to organize school district No. 1, in Fond du Lac, and for other purposes;"

"An act to amend an act entitled 'an act to amend an act entitled an act to provide for the government of the several towns in this territory, and for the revision of county government,' approved April 15, 1843;"

"An act to amend an act, entitled 'an act to provide for the government of the several towns in this territory, and for the revision of county government;"

"An act to authorize the construction of a dam across the north branch of Fox river;"

"An act in relation to a highway in the county of Racine;"

"An act to divorce Aesah Case from her husband, Isaac R. Case;"

"An act to provide for the laying out of certain territorial roads therein named;" and

"An act to authorise J. Sprague Pardee to construct and maintain a dam across Fox river."

Mr. Holmes moved to take up

No. 77, (H. of R.) "A bill for an act to divorce Melinda B. Rogers from her husband, Commodore Rogers;"

Which was agreed to.

And the question having been put on the passage of the same,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Darling, Holmes, and Whitesides,—4.

Those who voted in the negative were,

Messrs. Lovell, McCartney, Palmer, White, and Wells, (president,)—5.

Mr. Holmes, by leave, introduced the following resolution, which was adopted, to wit:

"Resolved, That John Catlin have leave to withdraw from the files of the council, voucher No. 107, the duplicate receipt of H. A. Tenney, bearing date the 28th day of October, A. D. 1847; also a bill of items allowed in the appropriation bill of the special session of the legislature of A. D. 1847; also a communication of the comptroller of the treasury of the United States, in relation to said bill of items."

On motion of Mr. McCartney,

Bill No. 88, (H. of R.) was then taken up.

Mr. McCartney moved to amend the first section, by striking out "on second Monday of May next," and inserting in lieu thereof, "on the day of election for judges first to be had under the provisions of the constitution;"

Which was agreed to.

Said bill was then ordered to be read the third time.

And the rules having been first suspended for that purpose;

Said bill was read the third time, passed, and the title thereof was agreed to.

Mr. Darling, from the committee on enrolled bills, reported as correctly enrolled

'An act to organize certain towns and for other purposes;'

'An act in relation to certain school districts therein named;'

'An act to legalize the official acts of Charles S. Peasley and A. G. Cole;'

'An act to legalize certain acts of the commissioners of highways of the towns of Whitewater and Salem;'

'Memorial to Congress on the subject of the reserved mineral lands;' and

'Memorial to the President of the United States in relation to the sale of certain lands.'

Mr. Holmes moved to take up resolution No. 5, (C;)

Which was agreed to.

And the question having been put on the adoption of the same,

It was decided in the affirmative.

Mr. Collins moved that the house of representatives be requested to return to the council for their further action,

Resolution No. 1, (C.)

Which was agreed to.

A message from the house of representatives by their chief clerk:

"Mr. President: The house of representatives have passed

No. 95, (H. of R.) 'A bill to authorize the trustee of the Beetown lands in Grant county to convey, and for other purposes;'

No. 121, (H. of R.) 'A bill for an act to authorize the levy of a special tax in the 5th ward of the city of Milwaukee;'

In which the concurrence of the council is requested."

Resolution No. 5, (C.) was then taken up, when

Mr. Collins moved a re-consideration of the vote by which said resolution was adopted;'

Which was agreed to.

The question was then put on the passage of said resolution,

And was decided in the negative.

On motion of Mr. M'Cartney,

Said resolution was laid upon the table.

The message from the house of representatives was then taken up, and

Bills Nos. 121, 98, 124, 134, 133, 130, 132, 125, 126, 127 (H. of R.)

Were severally read the first and second times.

No. 71, (C.) 'A bill to authorize Platte town school district to raise money to build a school house and for other purposes,'

Was then taken up, and the amendments of the house thereto were severally concurred in.

No. 43, (C.) 'A bill to incorporate the Milwaukee and Rock River Plank Road Company.'

Was taken up, and the amendments of the house to the amendments of the council were concurred in.

The amendments of the House to bill No. 96, (C) were concurred in.

The amendments of the house to bill No. 110, (C.) were not concurred in.

The question was then put "will the council recede from their amendments to said bill?"

And was decided in the negative.

Mr. Holmes moved that the council adjourn.

And the question having been put,

It was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Clark, Darling, and Wells, (President,)—3.

Those who voted in the negative were,

Messrs. Collins, McCartney, Palmer, Turner, White, and Whitesides,—6.

Mr. Palmer introduced the following resolution, to wit:

Resolved, That the verbal explanation made by the councillor from Racine, disavowing the publication referred to in the resolution, in conformity with the request contained in a resolution this day adopted by the council, be received as satisfactory.

Mr. Holmes moved to lay said resolution on the table:

Which was agreed to.

On motion of Mr. Holmes,

The council adjourned.

SATURDAY, March 11, 1848.

Prayer by the Rev. Mr. Lord.

The reading of the journal was dispensed with.

Mr. Lovell, from the committee on the judiciary, reported No. 90, (C.) "A bill for the relief of John Scannell,"

Recommending the same to pass, also,

From the same committee, reported

No. 87, (H. of R.) "An act to amend an act entitled 'an act to provide for punishing the crime of embezzlement, approved April 1, 1843.

A message from the house of representatives by their chief clerk:

"Mr. President: The house of representatives have passed,

No. 122, (H. of R.) 'A bill for an act to authorise the levy of a special tax in the third ward of the city of Milwaukee;'

In which the concurrence of the council is requested.

And have also passed

No. 40, (C.) 'A bill supplemental to an act entitled an act to incorporate the Milwaukee and Waukesha rail road company, approved Feb. 11, 1847;'

No. 44, (C.) 'A bill to incorporate the Milwaukee and Waterford plank road company;' and

No. 46, (C.) 'A bill to amend an act to authorize a further sale of canal lands, and for other purposes, and the act amendatory thereto,'

With amendments to each.

In which the concurrence of the council is requested.

And have concurred in the second amendment, and non-concurred in the first amendment of the council to

No. 88, (H. of R.) 'A bill to submit to the legal voters of the county of Grant, the question of a division of said county.'

And have adhered to their vote non-concurring in the amendments of the council to

No. 110, (H. of R.) 'A bill to organize the county of Marquette for judicial purposes.'"

Mr. Lovell, from the committee on engrossed bills, reported as correctly engrossed,

No. 88, (C.) "A bill making certain appropriations out of the territorial treasury to pay certain debts therein named;" and

No. 86, (C.) "A bill to provide for the payment of the expenses of the present session of the legislature."

The message from the house of representatives was then taken up, and

No. 122, (H. of R.) "A bill for an act to authorize the levy of a special tax in the third ward of the city of Milwaukee,"

Was read the first and second times.

Bill No. 88, (H. of R.) was then taken up.

And the question having been put,

Will the council recede from its amendments to said bill?

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs, Darling, Holmes, Lovell, Palmer, Turner, and Whitesides,—6.

Those who voted in the negative, were

Messrs. McCartney and Wells, (president,)—2.

So the council receded from its amendment.

No. 46, (C.) "A bill to amend an act to authorize a further sale of canal lands, and for other purposes, and the act amendatory thereto,"

Was taken up, and the amendments of the house thereto were concurred in.

The amendments of the house to

Bills Nos. 40 and 41, (C.) were concurred in.

Mr. Lovell moved to amend bill No. 44, (C.) by inserting after the word "Wilmot," the word "proviso;"

Which was agreed to.

Mr. Darling, from the committee on enrolled bills, reported as correctly enrolled,

"An act to authorize Plattetown school district, No. 2, in Platte school town, in Grant county, to levy a tax to build a school house, and for other purposes;"

"An act to establish certain territorial roads therein named;"

"Memorial to congress praying that Fort Howard may be vacated, and the reservation of land thereto attached for military purposes, may be sold;"

"Memorial to congress praying for an amendment to the law granting pre-emption rights;"

"An act to incorporate the Sinsinawa Mound college;"

"An act to authorize the voters of LaFayette county to vote for locating the county seat thereof."

No. 88, (C.) "A bill making certain appropriations out of the territorial treasury to pay certain debts therein named,"

Was taken up, when

Mr. Collins moved to amend said bill by adding "to John T. Wilson the sum of ten dollars and fifty cents ;"

Which was disagreed to.

Said bill was then read the third time, passed, and the title thereof agreed to.

A message from the house of representatives by their chief clerk:

"Mr. President: I am directed to present for your signature

'An act to incorporate the Port Washington, Horicon, and Beaver Dam turnpike company;'

'An act to repeal an act entitled an act to incorporate the village of Prairieville, approved February 3, 1846, and also all the acts amendatory thereto;'

'An act to provide for the incorporation of cemetery associations;'

'An act in relation to certain school districts therein named;'

'An act to organize certain towns and for other purposes;'

'An act to legalize the official acts of Charles S. Peaslee and A. G. Cole;'

'An act to incorporate the Sinsinawa Mound College;'

'An act to incorporate the Sheboygan and Fond du Lac road company;'

'An act to legalize certain acts of the commissioners of highways of the towns of Whitewater and Salem;'

'Memorial to the President of the United States in relation to the sale of certain lands;'

'Memorial to Congress on the subject of the reserved mineral lands;'

'Memorial to Congress praying for an amendment to the law granting pre-emption rights;'

'An act to make an appropriation to bring the body of the late Captain Augustus Quarles to this territory for interment;'

'An act to authorize the voters of La Fayette county to vote for locating the county seat thereof;'

'An act to incorporate the Sheboygan and Fond du Lac road company;' and

'Memorial to Congress praying that Fort Howard may be vacated, and the reservation of land thereto attached for military purposes may be sold;"

Which have been signed by the speaker of the house of rep-

resentatives.

The house of representatives have indefinitely postponed

No. 84, (C.) 'A bill to amend the act incorporating the University of Wisconsin;' and

No. 24, (C.) 'A bill to amend the several acts providing for assessing and collecting taxes for purposes of town, county, and territorial revenue.'

And have passed a resolution of this house entitled

'Resolution relative to cancelling territorial indebtedness.'

And have appointed Mr. Holliday of the committee on the part of the house under said resolution.

I am also directed to present for your signature,

'An act to authorize Platte town school district No. 2, in Platte school town in Grant county, to levy a tax to build a school house and for other purposes;' and

'An act to establish certain territorial roads therein named;'

Which have been signed by the speaker of the house of representatives"

Said acts were severally signed by the president.

Mr. Lovell moved to recommit

No. 86, (C.) "A bill to provide for the payment of the expenses of the present session of the legislative assembly;"

To the committee on legislative expenses;

Which was agreed to.

The president announced the appointment of Mr. Turner, on the part of the council of the joint committee relative to cancelling bonds.

Bill No. 85, (C,) was then taken up; when

Mr. Darling moved to re-consider the vote by which "Benjamin Hunkins" was inserted in lieu of "Curtis Reed;"

Which was agreed to.

Said amendment was then withdrawn.

Mr. Whitesides moved to amend said bill by striking out all after the enacting clause, and insert:

Sec. 1. Whenever the defendants in the several suits, now pending in the county of Walworth, wherein the territory is plaintiff, and James D. Doty and others are defendants, in the county of Iowa, wherein the territory is plaintiff, and James Morrison and others are defendants, and in the county of Grant, in

which the territory is plaintiff, and James D. Doty and others are defendants, and in which judgment has been received against said last named defendants, shall pay into the treasury of the territory or state a sum not less than
dollars, and which sum shall not be less than the whole amount of costs and expenses sustained by the territory in the prosecution of said suits, or shall secure the same to be paid within one year from the passage of this act, to the satisfaction of the superintendent of territorial property and the attorney general. Then the attorney general shall direct the discharge of the said suits and judgment, and the payment of said sum shall be received in full payment, satisfaction and discharge of all claims of either party arising or growing out of the subject matter of said suits and judgment.

Mr. Collins moved to amend the amendment, by striking out the word "expenses;"

Which was agreed to

The amendment as amended was then adopted;

And said bill was ordered to be read the third time.

The rules having been first suspended for that purpose;

Said bill was read the third time, passed, and the title thereof was agreed to.

A message from his excellency the governor, by George P. Delaplaine Esq., his private secretary.

"Mr President—I am directed by the governor to inform you, that he did, on the 10th inst., approve, sign, and deposite in the office of the secretary of the territory;

'An act for the relief of Crawford county relative to taxes;'

'An act to legalize the official acts of the school commissioners of the town of Metomon;'

'An act to legalize certain acts of the supervisors of the town of Madison;'

'An act in relation to a highway in the county of Racine;'

"An act to authorize J. Sprague Pardee to construct and maintain a dam across Fox river;'

'An act to authorize the inhabitants of the village of Manitowoc to build a bridge across the Manitowoc river;'

'An act to provide for the publication of legal and other notices in the several counties in this territory;'

"An act to change the name of William Henry Hill to that of William Henry Gardner;"

'An act to divorce Acsah Case from her husband Isaac Case;'

'An act to provide for the laying out of certain territorial roads therein named;'

'An act for the relief of Jane Ann Charter;'

'An act to incorporate the Fond du Lac and Beaver Dam Road Company;'

'An act to autherize the construction of a dam across the north branch of Fox river;'

'An act to amend an act entitled 'an act to provide for the government of the several towns in this territory, and for the revision of county government;'

'An act amendatory of the acts to organize school district No. 1 in Fond du Lac, and for other purposes;'

'An act to amend an act entitled 'an act to amend an act entitled an act to provide for the government of the several towns in this territory, and for the revision of county government,' approved April 15, 1843;'

'An act to authorize Cicero Comstock and Charles H. Williams to build and maintain a dam across the Milwaukee river.'"

A message from the house of representatives by their chief clerk:

"Mr. President—The house of representatives have passed

'Resolution of council relative to tax charged to the county of Jefferson for A. D. 1845;'

'Resolution of council relating to outstanding bonds;'

No. 83, (C.) 'A bill to authorize the supervisors of the town of Watertown, in the county of Jefferson, to levy a special tax to build a bridge across Rock river;'

No. 89, (C.) 'A bill requiring the superintendent of territorial property to perform certain duties;'

No. 91, (C.) 'A bill for the relief of John W. Evans;'

No 92, (C.) 'A bill concerning schools in the village of Beloit;

No. 74, (C.) 'A bill to incorporate the Winnebago Lake and Fox River Road Company,' and

No. 90, (C.) 'A Bill for the relief of John Scannell;'

The two last with amendments,

In which the concurrence of the council is requested.

The house have indefinitely postponed,

No. 5, (C.) 'Resolution concerning outstanding certificates for compensation of members and officers of the legislature of A. D. 1842 and 1843, and certificates issued to members of the constitutional convention of 1846,'

And have non-concurred in the amendment of the council to the amendments of the house to

No. 44, (C.) 'A bill to incorporate the Milwaukee and Waterford Plank Road Company,'

And have passed.

No. 101, (H. of R.) 'A bill to incorporate the Hustisford and Columbus Plank Road Company,' and

No. 119, (H. of R.) 'A bill to divorce Mary Smith from her husband John Smith, and to change her name;'

In each of which the concurrence of the council is requested."

Mr. Holmes, by leave, introduced the following resolution, which was rejected, to wit:

"*Resolved*, That the house of representatives be requested to return bill No. 118, (H. of R. file,) to the council for further action."

Mr. Lovell, from the committee on the judiciary, reported

Bill No. 86, (C.) with amendments;

Which were concurred in.

Mr. Collins, from the select committee to whom the same had been referred, reported

Preamble and resolution in relation to the death of John Quincy Adams.

Said report was accepted, and the committee discharged from the further consideration of the subject.

Bill No. 86, (C.) was then taken up, when

Mr. Palmer moved to amend the same by adding "to George W. Bunce fifty-four dollars;"

Which was decided in the negative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Holmes, and Palmer,—2.

Those who voted in the negative, were

Messrs Collins, Darling, Lovell, McCartney, Turner, Whitesides, and Wells, (President,)—7.

The rules having been first suspended for that purpose,

Said bill was read the third time, passed, and the title thereof was agreed to.

Preamble and resolution relative to the death of John Quincy Adams was adopted.

Mr. Lovell, by leave, introduced

"Resolution in relation to scrip payable out of the appropriation made by congress, August 29th, 1842."

The said resolution was adopted.

Mr. Darling, from the committee on county and township organization, to whom had been referred sundry petitions, &c., reported them back without recommending any action.

The report was aceepted, and the committee discharged from the further consideration of the subject.

On motion of Mr. Lovell,

The council adjourned until 3 o'clock, P. M.

THREE O'CLOCK P. M.

A message from the house of representatives by their chief clerk:

"Mr. President—I am directed to present for your signature,

'An act to incorporate the Madison and Oconomewoc Plank Road Company;'

'An act to incorporate the Milwaukee, Hustisford and Beaver Dam Plank Road Company;'

'An to incorporate the Port Uloa and Grafton Road Company;'

'An act to organize certain towns therein named;' and

'An act to submit to the legal voters of the county of Grant the question of a division of, said county;'

Which have been signed by the speaker of the house of representatives."

Said acts were severally signed by the president.

No. 86, (H. of R.) "A bill concerning commitments,"

Was then taken up, and ordered to a third reading.

And the rules having been first suspended for that purpose;

Said bill was read the third time, passed, and the title thereof was agreed to.

On motion of Mr. Darling,

No. 3, (H. of R.) 'A bill for the relief of John Hooper and Lucinda F. Hooper,"

Was taken up,

And the question having been put on the passage of the same,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Collins, Darling, Holmes, Turner, and Whitesides, —5.

Those who voted in the negative, were

Messrs. Lovell, McCartney, Palmer, and Wells, (president,) —4

So the said bill was passed, and the title thereof was agreed to.

Mr. Darling, from the committee on enrolled bills, made the following report, to wit:

"The committee on enrollment report that they did, on this day, present to the Governor for his approval,

'An act to incorporate the Port Washington, Horicon, and Beaver Dam turnpike company;'

'An act to incorporate the Sheboygan and Fond du Lac road company;'

'An act to repeal an act, entitled 'an act to incorporate the village of Prairieville,' approved Feb. 3, 1846, and also all the acts amendatory thereto;'

'An act to establish territorial roads therein named,'

'An act to incorporate the Sinsinawa Mound College;'

'An act in relation to certain school districts therein named;'

'An act to authorize the voters of La Fayette county to vote for locating the county seat thereof;'

'An act to organize certain towns and for other purposes;'

'An act to legalize the official acts of Charles S. Peaslee and A. G. Cole;'

'An act to make an appropriation to bring the body of the late captain Augustus Quarles to this territory for interment;'

'Memorial to congress praying that Fort Howard may be vacated, and the reservation of lands thereto attached for military purposes may be sold:'

'Memorial to the President of the United States in relation to the sale of certain lands;'

'Memorial to Congress on the subject of the reserved mineral lands;'

'Memorial to congress for an amendment to the law granting pre-emption rights;'

'An act to legalize certain acts of the commissioners of highways of the towns of Whitewater and Salem;'

"An act to provide for the incorporation of cemetery associations;' and

'An act to authorize Platt town school district No. 2, in Platt school town, in Grant county, to levy a tax to build a school house, and for other purposes.'"

No. 87, (H. of R.) "A bill to amend an act entitled 'An act to provide for punishing the crime of embezzlement,' approved April 1, 1843,"

Was then taken up,

And the question having been put on ordering said bill to be read the third time,

It was decided in the negative.

So said bill was rejected.

The message from the house of representatives was then taken up, and

The question having been put,

"Will the council recede from the amendment to

No. 44, (C.) 'A bill to incorporate the Milwaukee and Waterford Plank Road Company,'"

It was decided in the affirmative.

No. 74, (C.) "A bill to incorporate the Winnebago Lake and Fox River Road Company,"

Was then taken up, and the amendments of the house were concurred in.

No. 119, (H. of R.) "A bill for an act to amend an act entitled 'An act in relation to the formation of a state government in Wisconsin, and to change the time of holding the annual sessions of the legislative assembly;' and

No. 101, (H. of R.) "A bill to incorporate the Hustisford and Columbus Plank Road Company,"

Were read the first and second times.

No. 90, (C.) "A bill for the relief of John Scannell,"

Was then taken up, and the amendments of the house were concurred in.

On motion of Mr. Lovell,

No. 70, (C.) "A bill to supply the territorial library with certain laws, reports, and other books,"

Was indefinitely postponed.

The council then resolved itself into committee of the whole for the consideration of the general file of bills.

Mr. Collins in the chair.

And after some time spent therein, the committee rose and by their chairman reported

No. 125, (H. of R.) "A bill to authorize the trustees of the town of Potosi to sell certain real estate in said town;'

No. 130, (H. of R.) 'A bill to legalize the election of Andrew J. Luce as justice of the peace for the township of Clarkson, in the county of Dane;' and

No. 122, (H. of R.) "A bill for an act to authorize the levy of a special tax in the third ward of the city of Milwaukee,"

No. 127, (H. of R.) 'A bill for an act to divorce Ezra E. Roberts from his wife Harriet L. Roberts;'

No. 134, (H. of R.) 'A bill to authorize Franklin school district No. 5, in Platt school town No. 4 in Grant county, to levy a tax for building their school house.'

No. 133, (H. of R.) 'A bill to divorce Eliza Crowley from her husband James Crowley.'

No. 95, (H. of R.) 'A bill to authorize the trustee of the Beetown lands in Grant county to convey, and for other purposes;'

No. 121, (H. of R.) 'A bill for an act to authorize the levy of a special tax in the 5th ward of the city of Milwaukee;'

No. 119, (H. of R.) "A bill for an act to amend an act entitled 'An act in relation to the formation of a state government in Wisconsin, and to change the time of holding the annual session of the legislature;"

No. 101, (H. of R.) "A bill to incorporate the Hustisford and Columbus Plank Road Company;" and

No. 124, (H. of R.) "A bill to provide for laying out and vacating certain territorial roads therein named;"

Without amendments; and

No. 132. (H. of R.) 'A bill for an act to amend an act entitled 'an act concerning the commencement of actions,'"

With amendments.

The amendments of the committee of the whole to bill No. 132, (H. of R.)

Were then concurred in, and said bill was ordered to be read the third time.

Bills Nos, 132, 101, 119, 121, 95, 133, 127, 134, 122, 125, and 124 (H. of R.)

Were severally ordered to be read the third time.

Mr. Darling moved to amend bill

No. 126, (H. of R.) 'A bill to authorize the trustees of school district No. two, in Waterloo, Jefferson county, to renew a tax warrant;'

By adding the following section.

Sec. 2. That the trustees of the several school districts in this territory, are hereby authorized to renew tax warrants issued by them for the collection of taxes to build school houses, from time to time in the manner now provided by law: *Provided*, That the renewals authorized by this act shall not be in all for a longer time than six months;

Which was agreed to.

The question having been put on ordering bill No. 130 (H. of R.) to be read the third time,

It was decided in the negative.

So the said bill was rejected.

The rules having been first suspended for that purpose;

Bills Nos. 124, 132, 130, 134, 95, 132, 125, 126, 121, 119, and 110, (H. of R.)

Were severally read the third time, passed, and the titles thereof were agreed to.

Mr. Darling, from the committee on enrolled bills, reported as correctly enrolled,

'An act supplemental to an act to incorporate the Milwaukee and Waukesha rail road company;'

'An act requiring the superintendent of territorial property to perform certain duties;'

'An act to amend an act to authorize a further sale of canal lands and for other purposes, and the act amendatory thereto;"

'An act to authorize the supervisors of the town of Watertown, in the county of Jefferson, to levy a special tax to build a bridge across Rock river,'

'An act to divorce John Scannell from his wife Ann Scannell;'

'An act for the relief of John W. Evans;'

'Resolution relative to outstanding bonds;'

'Resolution relative to a tax charged to the county of Jefferson:'

And also reported that they did on this day present to the governor for his approval

'An act to incorporate the Port Uloa and Grafton road company;'

'An act to organize certain towns therein named;'

'An act to submit to the legal voters of the county of Grant the question of division of said county;'

'An act to incorporate the Milwaukee, Hustisford and Beaver Dam plank road company;'

'An act to incorporate the Madison and Oconomowoc plank road company.'

On motion of Mr. Lovell,

The council adjourned until seven o'clock, P. M.

SEVEN O'CLOCK, P. M.

Bill No. 92, (H. of R.) was then taken up.

On motion of Mr Lovell,

Said bill was referred to the committee on the judiciary.

Mr. Holmes, from the committee on the judiciary to whom the same had been referred, reported

No. 5, (H. of R.) "Resolution, concerning outstanding certificates for compensation of members and officers of the legislature, A. D. 1841, and 1842;"

With amendments.

The report was accepted, and the committee discharged from the further consideration of the subject.

Said amendments were concurred in; and

The resolution was ordered to be read the third time.

The rules having been first suspended for that purpose;

Resolution No. 5, (H. of R.) was read the third time; and

On motion of Mr. Holmes,

Said resolution was laid upon the table.

The message from the house of representatives was then taken up;

And the question being on concurring in the first amendment of the house to the appropriation bill;

And having been put,

It was non-concurred in.

And the second and third amendments of the house were concurred in.

Mr. Lovell moved to amend the amendment, by striking out all after the word "item" where it occurs in the second time;

Which was agreed to.

And also moved to amend the amendment by striking out all fter the word "item" in the second line;

Which was agreed to.

Amendments Nos. 5, 6, 7, 8, 9, 10 and 11 of the house were severally concurred in.

Mr. Lovell, from the committee on the judiciary, reported Bill No. 93, (H. of R.) with amendments.

The rules having been first suspended for that purpose;

The amendments of the committee of the judiciary were concurred in;

And said bill was read the third time.

And the question having been put on the passage of the same,

It was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Collins, Holmes, Lovell, McCartney, and Whitesides,—5.

Those who voted in the negative, were

Messrs. Darling, Palmer, and Wells, (president,)—3.

So the said bill was passed, and the title thereof was agreed to.

Mr. Darling, from the committee on enrolled bills, reported as correctly enrolled,

"An act to authorize Franklin school district No. 5, in Platte school town No. 4, in Grant county, to levy a tax for finishing their school house;"

"An to divorce Ezra E. Roberts from his wife Harriet L. Roberts;"

"An act to divorce Eliza Crowley, from her husband James Crowley:"

"An act to authorize the levy of a special tax in the third ward in the city of Milwaukee;"

"An act to authorize the levy of a special tax in the fifth ward in the city of Milwaukee;"

"An act to divorce Mary Smith from her husband John Smith, and to change her name;"

"An act to authorize the trustees of the town of Potosi to sell certain real estate in said town;"

"An act concerning commitments."

On motion of Mr. Collins,

Resolution relating to canal lands, was taken up.

Mr. Lovell moved to amend by inserting the words "paid" and "for" and insert "to the territory;"

Which was agreed to.

The amendment as amended was adopted,

A message from the house of representatives by their chief clerk:

"Mr. President:—I am directed to present for your signature

'An act concerning common schools in the village of Beloit;

'An act for the relief of John W. Evans;'

'An act for the relief of John Hooper and Lucinda F. Hooper;'

'An act to divorce John Scannell from his wife Ann Scannell;'

'An act to authorize the supervisors of the town of Watertown, in the county of Jefferson, to levy a special tax to build a bridge across Rock river;'

'An act requiring the superintendent of territorial property to perform certain duties;'

'An act to amend an act to authorize a further sale of canal lands, and for other purposes, and the act amendatory thereto;'

'An act to incorporate the Milwaukee and Rock River Canal Company;'

'An act supplemental to 'an act to incorporate the Milwaukee and Waukesha Rail Road Company,' approved February 11th, 1847;'

'Resolution relating to outstanding bonds,' and

'Resolution relative to tax charged to the county of Jefferson for A. D. 1845;'

'An act to authorize the levy of a special tax in the fifth ward of the city of Milwaukee;'

'An act to divorce Ezra E. Roberts from his wife Harriet L. Roberts;'

'An act to divorce Eliza Crowley from her husband James Crowley;,

'An act to authorize the levy of a special tax in the third ward of the city of Milwaukee;'

'An act to divorce Mary Smith from her husband John Smith and to change her name;'

'An act concerning commitments,' and

'An act to authorize the trustees of the town of Potosi to sell real estate in said town;'

Which have been signed by the speaker of the house of representatives "

Said acts were severally signed by the president.

A message from his excellency the governor, by George P. Delaplaine Esq., his private secretary.

"Mr. President—I am directed by the governor to inform you, that he has, this day, approved, signed, and deposited in the office of the secretary of the territory:

'An act to amend an act to incorporate the village of Madison, and for other purposes;'

'An act to amend an act entitled 'an act to incorporate the village of Southport;'

'An act concerning conveyances of real estate;'

'An act to authorize the laying out of a territorial road from Sheboygan to Fond du Lac, and to levy a tax to improve the same;'

'An act to incorporate the Horicon and Marquette Plank Road Company;'

'An act to amend an act entitled 'an act to provide for levying a tax on Waterville joint school district, in the county of Waukesha;'

'An act to vacate a part of Langdon street, in the town of Madison.'"

'An act to authorize school district No. 1, in the town of Summit to levy a tax for the purpose of paying the expenses of building a school house;'

'An act to establish the county of Adams;'

'An act to provide for the payment of the heirs of the late Thomas P. Burnett deceased, for reporting the decisions of the supreme court of the territory of Wisconsin;'

'An act to authorize Platt town school district, number two, in Platt school town in Grant county, to levy a tax to build a school house, and for other purposes;'

'An act to provide for the incorporation of cemetery associations;'

'An act to incorporate the Port Washington, Horicon, and Beaver Dam turnpike company;'

'An act to repeal an act entitled "an act to incorporate the

village of Platteville, approved February 3rd, 1846, and also all the acts amendatory thereto;"'

'An act to establish certain territorial roads therein named;'

'An act to incorporate the Sheboygan and Fond du Lac road company;'

'An act to establish certain territorial roads therein named;'

'An act to repeal an act entitled "an act to incorporate the village of Prairieville, approved February 3, 1846, and also all the acts amendatory thereto;"'

'An act to incorporate the Port Washington, Horicon, and Beaver Dam turnpike company;'

'An act to provide for the incorporation of cemetery associations;'

'An act to authorize Platte town school district, No. two in Platte school town in Grant county, to levy a tax to build a school house, and for other purposes;'

Bill No. 67, (H. of R.) was ordered to be read the third time.

The rules having been first suspended for that purpose;

Said bill was read the third time, passed, and the title thereof was agreed to.

Bill No. 86, (C.) was read the third time, passed, and the title thereof agreed to.

A message from the house of representatives by their chief clerk:

"Mr. President—The house of representatives have passed No. 88, (C.) "A bill making certain appropriations out of the territorial treasury to pay certain debts therein named,"

With amendments;

In which the concurrence of the council is requested."

The first amendment of the house to said bill was concurred in.

Mr. Lovell moved to amend the second amendment, by striking out the words "one hundred and sixty-five," and insert the words "one hundred and thirty-three;"

Which was agreed to.

The amendment as amended was then concurred in.

The third and fourth amendments were concurred in.

Mr. Holmes moved to amend the fifth amendment, by striking out "108," and insert "54 ;"

Which was agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Holmes, Lovell, Turner, Whitesides, and Wells, (President,)—5.

Those who voted in the negative were,

Messrs. Collins, Darling, McCartney, and Palmer,—4.

The question was then put on the adoption of the amendment as amended;

And was decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Holmes, Lovell, Turner, Whitesides, and Wells, (President.)—5.

Those who voted in the negative, were

Messrs. Collins, Darling, McCartney, and Palmer,—4.

The remaining amendments of the house were then concurred in.

A message from the house of representatives by their chief clerk.

"Mr. President: The house of representatives have non-concurred in the first and second amendments of the council to the amendment of the house to

No. 86, (C.)

And have concurred in the third amendment of the council to the amendment of the house to said bill.

The house of representatives have refused to recede from its first amendment to

No. 88, (C.) 'A bill making certain appropriations out of the territorial treasury to pay certain debts therein named;'

And have non-concurred in the amendment of the council to the amendments of the house to said bill relative to appropriation to M. M. Cothren.

And also have non-concurred in the amendment of the council to said bill, relative to the pay of members and officers of the legislative assembly, for the session commencing December, 1842.

The house of representatives ask for a committee of conference on the disagreeing vote of the two houses, relative to said bill, and have appointed Messrs. Cothren, Botkin, and Wakeley of the committee of conference on the part of the house upon said disagreement.

The house of representatives have passed

No. 7, (H. of R.) 'Resolution relative to treasurers accounts;'

In which the concurrence of the council is requested."

The president announced the appointment of the following on the committee of conference on the part of the council, on the disagreeing vote of the two houses on bill No. 88, (C.) to wit:

Messrs. Lovell and Collins.

On motion of Mr. Lovell,

The council adjourned.

Monday, March 13, 1848.

Prayer by the Rev. Mr. Lord.

The reading of the journal of Saturday was dispensed with.

Mr. Lovell, from the committee of conference on the disagreeing vote of the two houses on

No. 88, (C.) "A bill making certain appropriations out of the territorial treasury to pay certain debts therein named;"

Made the following report, to wit:

The committee of conference on the disagreeing vote of the two houses on bill

No. 88, (C.) "A bill making certain appropriations out of the territorial treasury to pay certain debts therein named;'

Having had the matter referred under consideration, submit the following report and recommendation:

That the council concur in the first amendment of the house to said bill.

That the house concur in the amendment of the council to said bill, relating to the appropriation to M. M. Cothren.

That the council recede from its amendment to said bill, relative to the pay of members and officers of the legislature of the session of December, 1842.

And that the bill be amended by striking out the appropriation to Benoni W. Finch.

Said report was then adopted.

Mr. Darling, from the committee on enrollment, reported as correctly enrolled,

'An act to incorporate the Milwaukee and Waterford plank road company;'

'An act to incorporate the Winnebago Lake and Fox river road company;'

'Resolutions relating to the treasurer's account;'

'An act to change the boundaries of the town of Lawrence in the county of Brown.'

Mr. Holmes, from the committee on territorial expenditures to whom was referred the communication from his excellency the governor, relative to paying Edward Outhwaite extra compensation for taking the census of Brown county, made the following report:

(*See Appendix.*)

Said report was accepted, and the committee discharged from the further consideration of the subject.

Bill No. 88, (C.) was then taken up;

And the council receded from its first and second amendments to said bill.

Mr. Darling, from the committee on enrollment, reported as correctly enrolled,

'An act making certain appropriations out of the territorial treasury to pay certain debts therein named;'

And also reported that they did on this day present to the Governor for his approval

'An act to authorize Hugh McFarlane and Robert V. Allen to construct a bridge across the Wisconsin river,'

'An act to incorporate the Hustisford and Columbus plank road company;'

'An act to authorize the trustees of school district number 2

in Watertown, in Jefferson county to renew a tax warrant;'

'An act to vacate the town plat of Troy in the county of Dane;'

'An act to organize the town of Springfield, and to provide for collecting tax in said town;'

'Resolution in relation to canal lands;'

'An act to authorize the trustees of Beetown in Grant county to convey and for other purposes;' and

'An act to provide for laying out and altering certain territorial roads therein named.'

A message from his excellency the governor, by George P. Delaplaine Esq., his private secretary.

"Mr. President—I am directed by the governor to inform you, that he did on the 11th inst., approve, sign, and deposit in he office of the secretary of the territory;

'An act supplemental to an act to incorporate the Milwaukee and Waukesha rail road company, approved February 11, 1847;'

'An act to authorize the supervisors of the town of Watertown, in the county of Jefferson, to levy a special tax to build a bridge across Rock river;'

'An act for the relief of John W. Evans;'

'An act to incorporate the Milwaukee and Rock River plank road Company;'

'An act to amend an act to authorize a further sale of canal lands and for other purposes, and the act amendatory thereto;"

'An act concerning common schools in the village of Beloit;

'An act to divorce John Scannell from his wife Ann Scannell;'

'Resolution relative to tax charged to the county of Jefferson for A. D. 1845;' and

'Resolution relative to outstanding bonds.'

Mr. Darling by leave, introduced

No, 6, (C.) "Resolution concerning register of canal lands;"

Which was adopted.

A message from the house of representatives by their chief clerk:

"Mr. President: The house of representatives have concurred in the amendments of the council to

No. 93, (H. of R.) 'A bill to organize the town of Springfield, and to provide for collecting tax in said town :'

No. 132, (H. of R,) 'A bill for an act to amend an act entitled 'an act concerning the time of commencing of actions,' :

No. 5, (H. of R.) 'Resolution in relation to canal lands ;'

No. 124, (H. of R.) "A bill to provide for laying out certain territorial roads therein named ;" and

No. 126, (H. of R.) 'A bill to authorize the trustees of school district No. two, in Waterloo, Jefferson county, to renew a tax warrant and for other purposes ;'

Which have been signed by the speaker of the house of representatives."

The house of representatives have adopted the report of the joint committee of conference on

No. 88, (C.) 'A bill making certain appropriations out of the territorial treasury to pay certain debts therein named.'

And have passed

No. 6, (C.) 'Preamble and resolutions in relation to the death of John Quincy Adams ;' and

No. 7, (C.) 'Resolution in relation to scrip payable out of the appropriation made by congress, 29th August, 1842.'

I am also directed to present for your signature,

'An act to provide for the payment of the expenses of the legislative assembly for the year 1848 ;' also

'An act making certain appropriations out of the territorial treasury to pay certain debts therein named ;'

Mr. Darling, from the committee on enrollment, reported that he did on this day present to the governor for his approval,

"An act to divorce Ezra E. Roberts from his wife Harriet L. Roberts ;"

'An act requiring the superintendent of territorial property to perform certain duties ;'

"An act to divorce Eliza Crowley, from her husband James Crowley :"

'An act for the relief of John Hooper and Lucinda F. Hooper ;'

'An act to incorporate the Milwaukee and Rock river plank road company ;'

'An act to amend an act to authorize a further sale of canal lands, and for other purposes, and the act amendatory thereto;'

'An act concerning common schools in the village of Beloit;'

'An act for the relief of John W. Evans;'

'An act supplemental to 'an act to incorporate the Milwaukee and Waukesha Rail Road Company,' approved February 11th, 1847;'

'Resolution relating to outstanding bonds,'

'An act to divorce John Scannell from his wife Ann Scannell;'

'An act making certain appropriations out of the territorial treasury to pay certain debts therein named;'

'An act to change the bounds of the town of Lawrence, in the county of Brown;'

'An act to incorporate the Winnebago Lake and Fox river road company;'

'An act to provide for laying out and altering certain territorial roads therein named;'

'An act to provide for the payment of the expenses of the legislative assembly, for the year 1848;'

'An act to authorize the supervisors of the town of Watertown, in the county of Jefferson, to levy a special tax to build a bridge across Rock river;'

Resolutions relative to tax charged to the county of Jefferson for A. D. 1845.

'An act to authorize the levy of a special tax in the fifth ward of the city of Milwaukee;'

"An act to authorize the levy of a special tax in the third ward in the city of Milwaukee;"

"An act concerning commitments."

"An act to authorize Franklin school district No. 5, in Platte school town No. 4, in Grant county, to levy a tax for finishing their school house;"

"An act to authorize the trustees of the town of Potosi to sell certain real estate in said town;"

"An act to divorce Mary Smith from her husband John Smith, and to change her name;"

'An act to incorporate the Milwaukee and Waterford Plank Road Company;'

'An act to incorporate the Hustisford and Columbus Plank Road Company ;'

'An act to authorize Hugh McFarlane and Robert V. Allen to construct a bridge across the Wisconsin river ;'

'An act to vacate the town plat of Troy in the county of Dane ;'

'An act to authorize the trustees of the Beetown lands in Grant county to convey. and for other purposes ;'

'An act to authorize the trustees of school district No. 2, in Watertown, in Jefferson county, to renew a tax warrant, and for other purposes ;'

'An act to organize the town of Springfield, and to provide for collecting taxes in said town ;'

'Resolution in relation to canal lands ;'

'Resolution relative to the treasurer's account.' ''

Mr. Palmer, from the committee on enrollment, reported as correctly enrolled,

'Resolution relative to the death of John Quincy Adams ;'

'Resolution relative to scrip ;' and

'Resolution relative to canal lands.'

Mr. Palmer introduced the following resolution, which was adopted, to wit:

"*Resolved*, That the Secretary of the Council be directed to inform the House of Representatives that the Council is now ready to adjourn without day."

A message from the house of representatives by their chief clerk:

"Mr. President—I am directed to present for your signature,

'An act to adjust the matters in controversy between the territory and the building commissioners ;' and

'Preamble and resolutions in relation to the death of John Quincy Adams ;'

'Resolution in relation to scrip payable out of the appropriation made by congress, 29th August, 1842 ;'

'Resolution authorizing the payment of the interest on certain territorial bonds ;'

The house of representatives have concurred in the amendments of the council to

No. 85, (H. of R.) 'A bill for an act to adjust the matters in controversy between the territory and the building commissioners.'

And have adopted,

'Resolution (of council,) concerning the register of the canal lands;' and

'Resolution (of council,) relating to the existing war with Mexico;'

'An act to authorize Hugh McFarland, and Robert V. Allen to construct a bridge across the Wisconsin river;' also

'An act to incorporate the Hustisford and Columbus plank road company;' also

'An act to authorize the trustees of school district No. two, in Waterloo, in Jefferson county to renew a tax warrant;' also

'An act to vacate the town plat of Troy in the county of Dane;' also

'An act to organize the town of Springfield, and to provide for collecting tax in said town;' also

'An act to authorize the trustees of Beetown in Grant county to convey land, and for other purposes;' also

'Resolution in relation to canal lands;' also

'Resolution relating to treasurers account;' also

'An act incorporating the Milwaukee, Waterford, and Beloit plank road company;' also

'An act to provide for the payment of the expenses of the legislative assembly, for the year of 1848;' also

'An act to incorporate the Winnebago Lake and Fox river road company.'

I am directed to inform you that Messrs. Holliday and Botkin are appointed a committee on the part of the house, to act in conjunction with a similar committee on the part of the council, to wait upon his excellency the governor, and inform him that the two houses have completed the business before them, and are now ready to adjourn, and ask if he has any further communication to make to them.

I am also directed to inform you that the house of representatives have completed the business before them, and are now ready to adjourn without day."

The President announced the appointment of the following committee on the part of the council, to wait upon his excellency the governor, and inform him that the two houses have completed the business before them, and are now ready to adjourn, to wit:

Messrs. Turner and McCartney.

A message from his excellency the governor, by George P. Delaplaine, Esq., his private secretary:

"Mr. President—I am directed by the governor to inform you that he did, on this day, approve, sign, and deposite, in the office of the secretary of state,

'An act making certain appropriations out of the territorial treasury to pay certain debts therein named;'

'An act to provide for the payment of the expenses of the legislative assembly for the year 1848;'

'Resolution relative to treasurer's accounts;'

'An act to incorporate the Winnebago Lake and Fox River Road Company;'

'An act to incorporate the Milwaukee and Waterford Plank Road Company;'

'An act to change the boundaries of the town of Lawrence, in the county of Brown;'

'An act requiring the superintendent of territorial property to perform certain duties;'

'Preamble and resolution in relation to the death of John Quincy Adams,'

'Resolution concerning the receiver of canal lands;'

"Resolution in relation to scrip payable out of the appropriation made by congress, August 29th, 1842."

Mr. Darling, from the committee on enrollment, reported that they did, on this day, present to the governor for his approval,

"Preamble and resolution in relation to the death of John Quincy Adams;"

"An act to adjust the matters in controversy between the territory and building commissioners;'

"Resolution in relation to scrip payable out of the appropriation made by congress 29th August, 1842;"

"Resolution concerning the receiver of canal lands;"

"An act making certain appropriations out of the territorial reasury to pay certain debts therein named;"

Mr. Turner, from the committee on that subject, reported that the committee had performed the duty assigned them, and hat his excellency the governor had informed them that he had no further communication to make to the legislature;"

Mr. Collins introduced the following resolution, to wit:

"*Resolved*, by the council, That the thanks of the council are lue and hereby tendered to the Hon. H. N. Wells, for the able, mpartial, and courteous manner in which he has discharged the igh and arduous duties of president of this body during the present session of the legislative assembly;"

And the question having been put on the adoption of the same, by the secretary;

It was unanimously adopted.

Mr. Lovell moved that the council now adjourn, *sine die;*

Which was agreed to.

Whereupon the president arose and made an appropriate address, and declared the council adjourned, *sine die.*

So the council adjourned.

APPENDIX.

EXECUTIVE JOURNAL.

THURSDAY, February 10, 1848.

The president presented the following communication from his excellency, the governor:

To the Legislative Council:

I nominate A. Hyatt Smith to be attorney general; and George P. Delaplaine to be auditor of public accounts.

HENRY DODGE.

EXECUTIVE DEPARTMENT,
February 10, 1848.

Whereupon, the council confirmed said nominations.

FRIDAY, February 11, 1848.

The president presented the following communication from his excellency, the governor:

EXECUTIVE DEPARTMENT,
February 11, 1848.

To the Legislative Council:

The following nominations are submitted for your consideration:

Brown County.

John V. Suydam, Elisha Morrow, Joel S. Fisk, John W. Arndt, George J. Wallace, John Last, Edward Hicks, Stephen R. Cotton, Edward Outhwaite, Reuben Field, as notaries public.

Thomas Bennett, as public administrator.

Crawford County.

James C. Neil, L. Lloyd Lewis and D. G. Fenton, as notaries public.

Leander Leclese as auctioneer.

Dane County.

Elisha Bardick, George B. Smith, W. C. Wells, Simeon S. Keyes, E. B. Dean, jr., William H. Fox, Roswell Brown, John Douglass, as notaries public.

Squire Lamb, John Myers and D. Noble Johnson, as auctioneers.

Washington County.

J. C. Hubendold, J. P. Bailey, James Harris, Hopewell Coxe, and Ernst F. Herzberg, as notaries public.

Orlando Foster and William Apitz, as auctioneers.

S. Austin White, as master in chancery.

Winnebago County.

C. E. P. Hobart, E. A. Rawley and Charles Sale, as notaries public.

Fond du Lac County.

S. S. N. Fuller, Warren Chase, John Bannister, Samuel W. Beal, Myron Orvis, Egbert Vincent, Theodore Conkey, G. G. Newall, David Lamb, Henry W. Wolcat, Charles F Rogers, John O. Henning and J. Monroe Gillett, as notaries public.

Selim Newton, auctioneer, and R. P. Eaton, public administrator.

Grant County.

George W. Lakin, notary public.

C. R. Lord, master in chancery.

Bennett Atwood, auctioneer.

Green County.

William Rittenhouse, Jacob Linzie and John Moore, as notaries public.

Joseph Kelley, Heman Calkins and W. D. Fillebrown, as auctioneers.

John Blunt, public administrator.

Jefferson County.

Levi P. Drake, Benjamin Nute, Jacob J. Enos, J. T. Haight, Peter H. Turner, Charles Rickerson, John Nutter, Nelson Whitney, Jonas Folts, Lyman E. Boomer, as notaries public.

Manitowoc County.

C. A Champlin, Ezekiel Decker, E. Holmes Ellis, Henry A. Teft, as notaries public.

Marquette County.

W. H. Dakin, Henry W. White, Paul D. Hayward, W. H. Bradbury, Hiram McDowald and Christian Meade, as notaries public.

Racine County.

Orson Sheldon, Hiram Tuttle, O. F. Dana, Mark Noble, J. D. Reymert, Lewis Royce, Josiah Bond, Lorenzo Janes, Edward Burbeck and R. G. McClellan, as notaries public.

O. F. Dana, as master in chancery.

Henry S. Durand, as auctioneer.

A. G Northway, as public administrator.

Rock County.

Alexander C. Resseguix, as notary public.

Sheboygan County.

A. L. Story, Jedediah Brown, Benjamin T. Lee, C. P. Hillar and A. C. Mulliner, as notaries public.

Walworth County.

Edward Davis, Thomas McHugh, Thomas D. Grant, James Simmons, W. D. Allen, Edward Elderkin, William R. Weld and Pliny Allen, as notaries public.

Mr. Lovell moved that the further consideration of said communication be postponed until to-morrow;

Which was agreed to.

SATURDAY, February 12, 1848.

The communication of yesterday from the governor was then taken up.

Mr. Lovell moved that the several nominations therein contained be confirmed;

Which was agreed to.

MONDAY, February 14, 1848.

The president laid before the council the following communication from his excellency the governor:

EXECUTIVE DEPARTMENT,
February 14, 1848.

To the Legislative Council:

The following nominations are submitted for your consideration:

Milwaukee County,

Alexander Mattheison, John G. Barr, Henry H. Edgerton, Chapman Yates, Edward Weisner, A. H. Bielfeld, Louis Franchere, Daniel Fitzsimmons, Jacob A. Webber, C. P. Helfenstein, Moses Kneeland, Albert Fowler, John G. Townsend, George G. Blodget, Clinton Walworth, John Fitzpatrick, Smith Arnold, Jason Downer, James B. Cross, Edmund Sanderson, William A. Rice, Thomas L. Ogden, and Alonzo Blossom, to be notaries public.

Andrew McCormick, William Downsdy, and Elijah G. Dimmick, to be auctioneers.

John B. Jillson, as notary public for the county of Racine.

HENRY DODGE.

EXECUTIVE DEPARTMENT,
February 14, 1848.

To the Legislative Council:

The following nominations are submitted for your consideration:

Dodge County.

R. F. Rising, Edward Eastman, J. H. Manahan, Horace D.

Patch, John Lowth, J. S. Torry, L. H. Van Buren, Matthew Norton, J. M. Robinson, J. O. Smith, Charles S. Bristol, Stoddard Judd, H. E. Connit, S. W. Lyman, Lucius S. Van Orden, Bradley Noyes, Clark Lawton, Moses Bryant and Albert Tappan, as notaries public, and John H. Manahan, as auctioneer.

Dane County.

Horace A. Tenney, as notary public.

Jefferson County.

D. L. Morrison and H. H. Sedgwick, as notaries public.

La Fayette County

Samuel G. Bugh, as notary public.

Racine County.

J. B Jillson, as notary public.

Rock County.

Charles C. Cheeney, as notary public.

Waukesha County.

Robert W. Wright, as notary public.

Daniel Bolles, colonel of a regiment for Manitowoc county.

Thomas K. Gibson, inspector of first brigade, second division.

Eleazer Wakeley, inspector; Experience Eastabrook, judge advocate; Ansel D. Merritt, surgeon; John Bowne, quarter master; Arthur L. Kincaid, pay master, of the third division.

J. P. Coates, captain; C. Y. Atwell, first lieutenant; John Bowmer, second lieutenant, company No. 3, east regiment, Grant county.

J. D. Gay, second lieutenant, company No. 2, Crawford county regiment.

Harrison Lloyd, second lieutenant, Mineral Point Guards, Iowa county.

Temple Clark, captain; Canfield J. Marsh, first lieutenant; Oscar Wilson, second lieutenant, company No. 1.

Daniel R. Thurston, captain; John W. Varrs, first lieutenant; Josiah Luce, second lieutenant company, No. 2.

John B Winchell, captain; Phileman Wicks, first lieutenant; Abel M. Varrs, second lieutenant, company, No. 3.

Josiah B. Tubbs, captain; Augustus Rood, jr., first lieutenant; Samuel Burdick, second lieutenant, company No. 4.

Lorenzo G. Wood, captain; Thomas Wicks, first lieutenant; Renselaer Curtiss, second lieutenant, company No. 5.

Stephen P. Day, captain; John Parker, first lieutenant; George Day, second lieutenant, company No. 6.

William H Bradbury, captain; Hiram H. Sweet, first lieutenant; P. T Hollenbeck, second lieutenant, company No. 7.

Clark A. Millard, captain; Washington Converse first lieutenant; Lansing Wooster, second lieutenant, company No 8.

Richard Bullock, captain; James M. Crandall, first lieutenant; James F. Moore, second lieutenant, company No. 9.

Charles Mead, captain; Edward R. Stevens, first lieutenant; John Warren, second lieutenant, company No. 10, and Eben Daken, adjutant, Marquette county regiment.

HENRY DODGE.

Whereupon the council confirmed the several nominations contained in said message.

WEDNESDAY, February 16, 1848.

The president laid before the council the following communication from his excellency the governor:

EXECUTIVE DEPARTMENT,
February 16, 1848.

To the Legislative Council:

The following nominations are submitted for your consideration.

Stephen Thomas, Jr., James B. Estis, Richard Tregaskis

and Cromwell Lloyd to be auctioneers for the county of Iowa.

George W. Reynolds notary public for La Fayette county.

S. E Holmes, Major; Nelson J. Whitney, Adjutant; Peter Rogan, Quarter Master; John Nutter, Pay Master; Charles Rogers, Surgeon of a regiment of militia for Jefferson county.

HENRY DODGE.

Whereupon the council confirmed the several nominations contained in said message.

THURSDAY, February 17, 1848.

The president laid before the council the following communication from his excellency the governor:

EXECUTIVE DEPARTMENT,
February 17, 1848.

To the Legislative Council:

The following nominations are submitted for your consideration.

Chauncey G. Heath, E. B. Quiner, Phillip V. Bovee, Alexander Cook and Asa A. Plint to be notaries public for the county of Waukesha.

HENRY DODGE.

Whereupon the council confirmed the several nominations contained in said message.

SATURDAY, February 19, 1848.

The president laid before the council the following communication from his excellency the governor:

EXECUTIVE DEPARTMENT,
February 17, 1848.

To the Legislative Council:

The following nominations are submitted for your consideration.

Elijah G. Wheeler, John Martin, A. O. Babcock, to be notaries public for the county of Walworth.

HENRY DODGE.

Whereupon the council confirmed the several nominations contained in said message.

TUESDAY, February 22, 1848.

The president laid before the council the following communication from his excellency the Governor:

EXECUTIVE DEPARTMENT,
February 21, 1848.

To the Legislative Council:

The following nominations are submitted for your consideration:

John Seavier and Timothy Hall, to be notaries public for the county of Washington.

D. Noble Johnson to be a notary public for the county of Dane.

HENRY DODGE.

Whereupon the council confirmeds the several nomination contained in said message.

WEDNESDAY, February 23, 1848.

The president laid before the council the following communication from his excellency the governor:

EXECUTIVE DEPARTMENT,
February 23, 1848.

To the Legislatiee Council:

The following nominations are submitted for your consideration:

D. M. Aspinwall, captain; Wm. Dunning, 1st lieut.; Thos. Bill, 2d lieut., company No. 4;

And David L. Morrison, captain; Milton Snow, 1st lieut., company, No. 7, of a regiment of militia for Jefferson county.

HENRY DODGE.

Whereupon, the council confirmed the several nominations contained in said message.

THURSDAY, February 24, 1848.

The president laid before the council the following communication from his excellency, the governor:

EXECUTIVE DEPARTMENT,
February 22, 1848.

To the Legislative Council:

I nominate Isaac S. Brown to be a notary public for the county of Dane, and

Charles Loringen to be a notary public for the county of Milwaukee.

HENRY DODGE.

EXECUTIVE DEPARTMENT,
February 24, 1848.

To the Legislative Council:

The following nominations are submitted for your consideration:

Charles M. Baker to be a master in chancery for the county of Walworth.

William R. Gorsline and E. Fox Cook, to be masters in chancery;

John T. Sharpstien, D. U. Harrington and Thomas J. Davidson to be notaries public; and

Robert A. Forsyth, A. S. Story and Benjamin T. Lee to be auctioneers for the county of Sheboygan.

Robert A. Forsyth to be colonel, and Frederick G. Peabody to be lieutenant colonel of the Sheboygan county regiment.

HENRY DODGE.

Whereupon, the council confirmed the several nominations contained in said messages.

FRIDAY, February 25, 1848.

The president laid before the council the following communication from his excellency, the governor:

EXECUTIVE DEPARTMENT,
February 24, 1848.

To the Legislative Council:

The following nominations are submitted for your consideration:

F. B. Ward, Benjamin E. Clark and Samuel M. Wells, to be notaries public, and

William S. Hawkins to be public administrator for the county of Waukesha.

Mark Noble to be an inspector of provisions for the county of Racine.

HENRY DODGE.

Whereupon, the council confirmed the several nominations contained in said message.

SATURDAY, February 26, 1848.

The president laid before the council the following communication from his excellency the governor:

EXECUTIVE DEPARTMENT,
February 25, 1848.

To the Legislative Council:

The following nominations are submitted for your consideration.

Chauncey M. Phelps to be a notary public in and for the county of Washington, and

John Borone to be a notary public for the county of Walworth.

HENRY DODGE.

Whereupon the council confirmed the several nominations contained in said message.

MONDAY, February 28, 1848.

The president laid before the council the following communication from his excellency the governor:

EXECUTIVE DEPARTMENT,
February 26, 1848.

To the Legislative Council:

The following nominations are submitted for your consideration.

Lorenzo Van Slyck, Thomas J. Emmons, Henry S. Durand, William E. Wooding, Anson Pease and Andrew Burdick, to be notaries public, and

Sherman S. Chapin to be an auctioneer for the county of Racine.

A. A. Parker to be a notary public for the county of Grant.

Simon S. Keyes, captain; Alexander Bell, 1st lieut.; Martin

Neff, 2d lieut., of a volunteer company of infantry, the "Cambridge riflemen," of Dane county.

Oscar Hurlburt, captain; Christopher Bannister, 1st lieut.; Stephen Wakeley, 2d lieut., company No. 1.

Jackson Prentiss, 1st lieut.; Harvey B. Merrill, 2d lieut., company No. 3.

Bradley Noyes, captain, company No. 4.

William T. Ward, captain; Wm. Cardwell, 1st lieut.; Geo. Baker, 2d lieut., company No. 7, of a regiment of militia, for the county of Dodge.

HENRY DODGE.

Whereupon the council confirmed the several nominations contained in said message.

TUESDAY, February 29, 1848.

The president laid before the council the following communications from his excellency, the governor:

EXECUTIVE DEPARTMENT,
February 28, 1848.

To the Legislative Council:

I nominate Henry K. White, to be a notary public for the county of Milwaukee.

HENRY DODGE.

EXECUTIVE DEPARTMENT,
February 29, 1848.

To the Legislative Council:

I nominate Manning Redfield, to be a notary public in and for the county of Milwaukee.

HENRY DODGE.

Whereupon the council confirmed the several nominations contained in said messages.

TUESDAY, March 2, 1848.

The president laid before the council the following communications from his excellency the governor:

EXECUTIVE DEPARTMENT,
March 1, 1848.

To the Legislative Council:

I nominate Wilson J. Day, to be a notary public in and for the county of Green.

HENRY DODGE.

EXECUTIVE DEPARTMENT,
March 2, 1848.

To the Legislative Council:

I nominate D. Henry Rockwell, to be a notary public in and for the county of Waukesha.

HENRY DODGE.

Whereupon the council confirmed the several nominations contained in said messages.

FRIDAY, March 3, 1848.

The president laid before the council the following communication from his excellency the governor:

EXECUTIVE DEPARTMENT,
March 2, 1848.

To the Legislative Council:

I nominate Edwin B. Kelsey and William D. Pettit, to be notaries public in and for the county of Walworth.

HENRY DODGE.

Whereupon the council confirmed the several nominations contained in said message.

SATURDAY, March 4, 1848.

The president laid before the council the following communication from his excellency the governor:

EXECUTIVE DEPARTMENT,
March 4, 1848.

To the Legislative Council:

I nominate Lott Blanchard and Charles E. Chamberlin, to be notaries public for the county of Washington.

HENRY DODGE.

Whereupon the council confirmed the several nominations contained in said message.

MONDAY, March 6, 1848.

The president laid before the council the following communication from his excellency the governor :

EXECUTIVE DEPARTMENT,
March 6, 1848.

To the Legislative Council :

I nominate C. H. Orton and John Jones, jr., to be notaries public in and for the county of Milwaukee, and Hamilton Gray to be notary public in and for the county of Rock.

HENRY DODGE.

EXECUTIVE DEPARTMENT,
March 6, 1848.

To the Legislative Council:

The following nominations are respectfully submitted for your consideration.

Harvey G. Turner and Eugene J. Turner to be masters in chancery ; Seth G. Picket and Philip Moss to be notaries public ; and William T. Bonniwell to be a notary public, and also public administrators in and for the county of Washington.

William W. Brown, Julius White and Chas J. Kern to be notaries public in and for the county of Milwaukee.

William A. Fuller and George B. Hall to be notaries public in and for the county of Rock.

William Shew, captain ; Camerson Reed, 1st lieutenant ; John A. Cross, 2nd lieutenant, company No. 10, of a regiment of militia for the county of Milwaukee.

HENRY DODGE.

Whereupon the council confirmed the several nominations contained in said message.

THURSDAY, March 9, 1848.

The president laid before the council the following communication from his excellency the governor:

EXECUTIVE DEPARTMENT,
March 8, 1848.

To the Legislative Council:

The following nominations are submitted for your consideration:

James M. Burgess, to be a notary public in and for the county of Rock.

Walter H. Besley, to be an auctioneer, in and for the county of Jefferson.

James B. Worthington, to be second lieutenant of company No. 1, of a regiment of militia for the county of Dodge.

HENRY DODGE.

EXECUTIVE DEPARTMENT,
March 9, 1848.

To the Legislative Council:

The following nominations are submitted for your consideration:

Peter Seabury and George Doro, to be notaries public, and Walter N. Besly, to be an auctioneer for the county of Jefferson.

William N. Ramsay, to be a notary public in and for the county of Washington.

Miner M. Delano, to be an auctioneer, and George R. McCarter, and Horace McConnell, to be notaries public, in and for the county of Waukesha.

HENRY DODGE.

Whereupon the council confirmed the several nominations contained in said communications.

FRIDAY, March 10, 1818.

EXECUTIVE DEPARTMENT,
March 10, 1848.

To the Legislative Council:

The following nominations are submitted for your consideration:

I nominate A. R. R. Butler, jr., and Jonas Kildahl, to be notaries public within and for the county of Milwaukee.

J. N. Baker, to be a notary public within and for the county of Washington, and Daniel M. Holt, to be an auctioneer for the county of Dane.

HENRY DODGE.

SATURDAY, March 11, 1848.

The president laid before the council the following communication from his excellency the Governor:

EXECUTIVE DEPARTMENT,
March 10, 1848.

To the Legislative Council:

I nominate Edwin B. Carson, to be a notary public within and for the county of Iowa.

HENRY DODGE.

EXECUTIVE DEPARTMENT,
March 11, 1848.

To the Legislative Council:

I nominate Canfield J. Marsh, Clark A. Millard, and George B. Worth, to be notaries public, within and for the county of Marquette.

Lewis M. Durham to be a notary public within and for the county of Fond du Lac.

HENRY DODGE.

EXECUTIVE DEPARTMENT,
March 11, 1848.

To the Legislative Council:

I nominate Daniel Dobbs, to be a notary public in and for the county of Jefferson.

HENRY DODGE.

EXECUTIVE DEPARTMENT,
March 11, 1848.

To the Legislative Council:

I nominate Lorenzo Wood to be a notary public for the county of Marquette; John Everett, to be a notary public for the county of Fond du Lac.

Thomas Cummuck, Levi Konkaput, Nathan Eastman, Rufus Bennet, to be notaries public for the county of Calumet.

Henry C. Janes, captain; John Lagess, first lieutenant; C. C. Stickles, second lieutenant, company No. 1.

Alexander F. David, captain; Franklin M. Powers, first lieutenant; Wellington H. Millard, second lieutenant, company No. 2.

William J. Crossett, captain; George H. B. Fincint, first lieutenant; John Perry, second lieutenant, company No. 3.

Edward West, captain; Barney Haskell, first lieutenant; William Remington, second lientenant, company No. 4.

Lucius B. Townsend, captain; Lucius B. Hawley, first lieutenant; John Van Kuren, second lieutenant, company No. 5.

William N. Davis, captain; James Fisk, first lieutenant;

Edw'd. Bolden, second lieutenant, company No. 6, of a regiment of militia for the county of Winnebago.

HENRY DODGE.

EXECUTIVE DEPARTMENT,
March 11, 1848.

To the Legislative Council:

I nominate Oliver Cowdry, to be a notary public in and for the county of Walworth,

HENRY DODGE.

Whereupon the council confirmed the several nominations contained in said communications.

MONDAY, March 13, 1848.

The president laid before the council the following communications from his excellency the governor:

EXECUTIVE DEPARTMENT,
March 13, 1848.

To the Legislative Council:

The following nominations are submitted for your consideration:

R. Allen Bird, captain; David T. Dickson, first lieutenant; Edwin R. George, second lieutenant, company No. 6.

David Wilder, captain; Tunis Slingerland, first lieutenant, company No. 8.

D. C. Miller, captain; John F. Babcock, first lieutenant; Hiram Rider, second lieutenant, company No. 9, of a regiment of militia for the county of Dane.

Nathan H. Strong and Temple Clark to be notaries public for the county of Marquette.

HENRY DODGE.

Whereupon the council confirmed the several nominations contained in said message.

APPENDIX.

APPENDIX.

REPORT

OF MR. WHITE, ON THE SUBJECT OF PLANK ROADS.

The select committee to whom was referred the petition of citizens of Racine and Walworth counties, praying the incorporation of a company, with the view of constructing a plank road from the village of Racine to Rock river, having duly considered the subject matter of the prayer of the petitioners, beg leave to

REPORT:

That it is obvious to all who attentively watch the progressive improvements of the day, that the vast and rapidly multiplying products of the soil and of the mines of Wisconsin, and the no less rapidly expanding commerce of our inland seas and navigable rivers, demand an increase of the facilities of intercommunication between the business points and the farming and mining districts interior. So active is the competition, and so strong the rivalry between those points, for commercial supremacy, that that one which should chance to be laggard in her enterprise, would assuredly run the hazard of being doomed to the hindmost rank in the great "race of improvement," which so peculiarly characterizes the present as *the* age of "progression."

And so rapid are the developments of the vast agricultural and mineral resources of our territory, that we are admonished that the period has already arrived, where there ought to be

speedy action towards the improvement of the principal avenues between the business points and the productive inland districts, so as to quicken the transit of goods, &c. to the interior, and lessen the time and expense of carrying our staple products to market. Latent elements of great wealth lie dormant in the soil of Wisconsin, which, with sufficiently augmented means of transportation, would speedily duplicate our marketable products, and consequently enhance the prosperity of the country, increase the welfare of the people, and accelerate the growth of our towns by extending the range of their trade and business.

But the inquiry is suggested, what are those means of transportation by which such important results are expected to be accomplished? Our answer may be found in the language of that eminent statesman and illustrious benefactor of the "Empire State," DE WITT CLINTON, that "every judicious improvement in the establishment of *Roads* * * increases the value of land, enhances the price of commodities, and augments the public wealth."

In the absence of the natural advantages of water-carriage, *roads*, or public "highways," are the avenues by which the interior gains ready access to maratime ports and market towns, and through which flow streams of wealth to the nation, and comfort, competence and contentment to the people. As aptly remarked by Professor Gillespie, "the *roads* of a country are accurate and certain tests of the degree of its civilization"—their construction being "one of the first indications of the emergence of a people from the savage state;" and he views them as "the viens and arteries of the body politic," through which "flow the agricultural productions and the commercial supplies which are the life-blood of the state."

Acquiescing, then, as we presume all will, in these premises, the next inquiry is,

WHAT KIND OF ROADS

Is best adapted to the *present* wants of our agricultural and commercial interests, the physical characteris:ics of our country, and the circumstances of our people? RAIL ROADS are unquestionably the mightiest means of overcoming material space, of

producing immense changes in the condition of localities, and of linking together remote portions of a continent with bands of iron, that the genius of man has yet devised. For connecting distant and important commercial points, no other mode of land transportation can come in competition with them; and we feel safe in predicting, that ere the lapse of many years Wisconsin will be traversed by many of these magnificent "highways," lessening the expense and shortening the distance of travel and transportation between the Great Lakes and the Mississippi, and facilitating and increasing the intercourse between our southern borders and the northern and western extremities of our embryo "Commonwealth"

But dearly bought experience, examples of which may be found in our own brief history, touching internal improvements, have demonstrated the futility, the *fatal error* indeed, of thrusting improvements in advance of the business requisite to sustain them. Individuals, corporations, and even "sovereign states," have been forced into bankruptcy, and driven to a humiliating *repudiation of their debts*, by heedlessly incurring enormous liabilities for expensive works, many of which it were a misnomer to characterize as "improvements," and most perhaps burdensome to the owners as a present investment, and some even totally profitless for all future time. And it has become manifest to all matter-of-fact friends of internal improvement in Wisconsin, that our own people do not as yet possess the requisite capital, that can be diverted from the ordinary channels of trade and commerce, successfully to prosecute public works so expansive in their range, and so costly in their construction as rail roads; and it is equally clear, either that the host of rail road and other enterprises at the east absorb the disposable capital there, or that the sagacity of eastern capitalists has failed to detect those latent evidences of ready dividends from that class of heavy works in the yet infant state of our community, of which it is indispensable their minds should be fully satisfied before it can be expected their coffers will be opened to us.

As corroborative of their views in this regard, your committee beg leave to remind the council, that at the last session of the legislature, a charter was granted for the construction of a rail road from lake Michigan to the Mississippi river, a route

confessedly the most eligible for so important a work that could have been selected within the bounds of Wisconsin, and ample powers, privileges and immunities conferred upon the company, to the full extent, we believe, that was asked by them; and yet, although more than a year has elapsed since they have been in the full enjoyment of all they sought, so far as legislative sanction goes, in behalf of an enterprise from which the coolest calculators concurred in anticipating a more certain success and a readier realization of profits than from any other which could be started in our midst, we have no tidings of stock subscribed, nor of ultimate steps taken towards an organization of the company under the charter. A knowledge of these facts is a source of deep regret to all the friends of improvement in Wisconsin; and the more so, because the well known character of the projectors of this truly important work, for talent, energy, and public spirit, exclude all hope of any more speedy accomplishment of the enterprise under other auspices, at this day.

In view of these facts, therefore, your committee cherish the hope that all who have thoroughly investigated this matter, will concur in opinion with them, that a class of improved public thoroughfares, less costly in their construction and more practical for *every day's use* than RAIL ROADS, is called for in all portions of our territory. Assuming such to be the sentiment of the council and of the community, we find our inquiry narrowed down to a choice between

MACADAMIZED AND PLANK ROADS.

Believing they were not giving a wider scope to their investigations than the importance of the matter warranted, your committee extended their inquiries to the provinces of Canada, and to all those portions of our own country which gave promise of adding to their stock of information on this subject; and they now find themselves in possession of a mass of facts and statistics, which have forced a conviction upon their own minds, that PLANK ROADS are better adapted to the wants of Wisconsin at large, and to the circumstances of our farmers and business men, at the present juncture, than any or all other modern road improvements. And as plank road making is a new theory, an

untried 'scheme,' to most of our people, your committee hope they will not be transcending the sphere of their duty by presenting to the council a rapid sketch of the progress of this species of road improvement, the mode of construction, durability, cost, &c., and the superiority of plank over Macadam and all other kinds of roads.

MACADAM (or broke stone) roads have been in use for about one-third of a century, while the adoption of PLANK ROADS, at least in the United States, does not date back scarcely half a dozen years, and yet the latter seem in a fair way almost to supersede the use of the former. Macadam roads are made of hard stone, broken up with hammers into pieces about an inch in diameter, and this 'metal' is spread upon the graded bed of the road to the depth of six to twelve inches. At first these roads are heavy to travel on, exceedingly annoying to tender-footed animals, and laborious for a team to haul a loaded vehicle over; but in time the broken stone become pulverized on the surface, and form a mass of comparative smoothness and solidity. Yet this solidity is far from being permanent. 'A Macadam road, (an experienced gentleman* writes us from Detroit,) built with a sufficient quantity of stone, (say ten to twelve inches of the 'metal,') to be durable, will be expensive in any locality, and built otherwise it will be destroyed at the breaking up of the ground in the spring, or be so injured as to require extensive repairs.' A report from certain road commissioners to the Canadian Board of Public Works, shows that the cost of one mile of Mecadam road will make and maintain nearly four miles of plank road,

* J. W. Brooks, Esq. civil engineer, to whom, and to Wm. C. Young, Esq. superintendent of the Schenectady and Utica rail road, Thos. G. Alvord, Esq. late member of the legislature of New York and superintendent of the Salina plank road, Henry Ledyard. Esq. of Detroit. Gov. Cass, of the U. S. senate, Mr. Tucker, editor of the Albany Cultivator, Mr. Wright, editor of the Prairie Farmer, Mr. Minor, editor of the Rail Road Journal, and D. O. Macumber of New York, we are indebted for hints and information of great use to us in the preparation of this report: And to Professor Gillespie's manual on road making, Hon. H. L. Ellsworth's patent office report for 1843, report of the Canadian commissioners on plank roads, as also the reports on the same subject of Hon. Geo. Geddes, of Salina, Hon. Mr. Burnham, of New York senate, in Feb. 1847, Charles Whittlesey, Esq. of Cleveland, J. W. Judson, Esq. of Oswego, Mr. Talcott engineer of the Illinois canal, Mr. Gzowski, engineer for several of the plank roads in Canada, and to a correspondent of the Detroit Free Press,—we are also indebted for valuable facts and statistics, which have materially aided us in perfecting this report.

the expenditure on the former averaging about $6,220 per mile, while those on the latter ought oftener to fall short than exceed $2,000 per mile. And the report to the New York senate declares, that 'experience proves, that a plank road over the same line with a Macadam one, can be built and maintained for less than the interest on the cost of the Macadam one, added to its yearly required repairs.' In Canada, eight feet in width of a Macadam road was taken up to make room for a plank track; and 'men who have travelled over the best roads in England, say there is not as good a road in Great Britain as the Salina plank road.' In Canada it has been tested by actual experiment, that the adoption of plank in lieu of broken stone as the covering of a road, has effected a saving of an amount sufficient to re-plank the road every three years—whereas the same planking will ordinarily last ten years. An experienced and intelligent road maker in Canada remarks, that 'no stone road in the clay soil can stand in that climate, unless it rests upon a bed of some appropriate material thick enough to protect it from the frost.' To be '*thick* enough' for that purpose, it should have a depth of twelve to fourteen inches of compact broken stone; and to give it *such* a coating, would render it ruinously expensive in its construction, and consequently profitless to its owners. It was the heaving up of the foundation by the action of the frost, that so disrupted a Macadam road near Toronto, as to render it nearly impassible in wet and cold weather, and which occasioned the taking of it up and substituting a plank track in its stead, the remaining portion of the Macadam track being used as a turn-out path. On this road even after some portion of the plank had become entirely worn through, the very beasts of burthen instinctively preferred the plank to the Macadam track; and when reined from the former to the latter in turning out, would of their own accord immediately turn back upon the plank, when not prevented.

But in this comparison of the relative value of plank and stone roads (*Macadam* and *stone* we use as synonymous terms,) we have exhibited but few of the peculiar

ADVANTAGES OF PLANK ROADS.

All who have given much attention to this subject, and made themselves even partially *acquainted* with it, acknowledge that plank is the best material for an improved road-way in *certain locations* and under peculiar circumstances: And the Hon. Henry L. Ellsworth, in his patent office report for 1843, although evidently somewhat skeptical of the *general* utility of plank roads, is constrained to admit, that "there are stretches of 30 or 40 miles in parts of the west, where the soil is a deep rich vegetable mould, and without stone or gravel of any description; in *such* cases you must be content to wade through the mud, or adopt plank roads." Even so; and there are very many *such* "stretches" of "*deep rich vegetable mould*" all over Wisconsin, where even Mr. Ellsworth acknowledges plank roads are indispensable. But that Hon. gentleman labors under the disadvantage of having spoken four or five years too soon, when plank road making was a 'new project,' and looked upon as of equivocal utility, by some of the wisest heads in the country. Such, however, have been the rapid developements in regard to the usefulness of plank roads within the last five years, that what are considered sound opinions and philosophical deductions on this subject in 1843, are now scouted as *antiquated notions* in 1848. In the report of the New York senate, it is remarked, that while Macadam roads 'may be best for one section of country, the difficulty and expense attending their construction may render them impracticable for another;' while 'plank roads can be built on *any* ground to the advantage of the public.'. And recent events go far towards showing, that plank are preferable to stone roads in nearly all localities, as will be seen from the following circumstances: A plank road is about to be constructed at a town in the state of New York, where, for a reach of 13 miles, the line of road runs along a ledge of rocks proper for mackadamizing, which only needs to be tumbled into the road-way ready for breaking.' In another town of the same state, 'movements are making to take up the cobble stone pavement of a street for a distance of two miles, and lay down a plank, road in its stead. And we have seen letters from Cleveland, Ohio, saying that the city corporation there, are about to substitute *plank* for the cobble stone pavements of some of

their streets. This plan has already been adopted, to a limited extent, in the city of Chicago, to the universal satisfaction of all teamsters and pedestrians.

It appears from actual experiment, that a horse will travel in any kind of wheeled vehicle at an average rate of one-fifth faster, and draw at least one-fifth greater weight, on a plank than on a broken stone road. In fine, plank roads are preferable to those of Macadamized stone in cheapness, in ease of draught, and in comfort to passengers; greater speed being attainable on them with less resistance to draught; and stage owners say they are less fatiguing to horses than stone roads, at the same rate of speed.

It seems to your committee that these facts show conclusively, that planked ways are superior, as market roads, to those of either stone or gravel, or any similar material, under nearly all conceivable circumstances: And there is one reason more obvious than others, while they should be peculiarly so in our climate: it is the deep freezings and frequent thawings during our winter months which disrupt the foundations of nearly all roads of earth or stone, and which firmly bedded Macadamized roads would not at times be able to resist: Whereas this cause is almost wholly inoperative to the detriment of plank roads.

But your committee deem it needless to multiply evidence on this point; for the advantages of plank over Macadam roads in Wisconsin, must be obvious to all, since there is within our bounds very little of the material (the *sienitic* granites, and the *basaltic* rocks in which the *hornblende* predominate) with which to construct the latter, while there is a sufficiency of timber for all purposes of the former. This in our view, should settle the question, not only as regards the utility and economy, but the *expediency* of our people's adopting that class of road improvements, for local and present purposes, in preference to all others.

Although, as your committee think they have clearly shown, plank roads should, for present purposes, be preferred by our business and commercial men over every other species of road improvement within our ability to accomplish at this day,—believing, as we do, that the general adoption of that system of road making would be productive of positive and immediate ben-

efit to them, as well as to all classes of our citizens, by giving a new impulse to every branch of industry among us, contributing directly and certainly to the still more rapid growth of our business towns, increasing the prosperity of their people, and enhancing the welfare of all within their borders;—yet it is most manifest that our FARMERS and AGRICULTURISTS would partake more largely of the benefits flowing from the operation of these roads, than any other portion of our population.

In the estimation of your committee, plank roads are of more real importance to the Wisconsin farmer, than any invention of the day. They will save him time and labor, which is the same as money; they will give him a choice of time in carrying his products to market, as they offer no such obstacle as 'bad roads,' but present to him as smooth and firm a surface over which to travel in the worst of seasons as in the best; they enable him to accomplish twice the distance in the same time, and haul double the load with less effort; let interest or inclination call him to town, and he can proceed thither with all desirable speed, in his own conveyance, and on any day of the year or hour of the day he may elect, without consulting horoscopes or watching the phases of the moon; and no accidents of weather need interpose *bad traveling* between him and his market, when an advance in wheat, or flour, or pork, or other products of his farm, admonishes him of the appropriate moment for realizing the best reward for his toil. In fine, to our citizens in those interior districts which are never expected to be traversed by rail roads, the construction of planked ways will extend the advantage of good, desirable and convenient thoroughfares, affording them an easy and rapid communication with their markets and their distant neighbors, and securing to them facilities for travel and transportation unenjoyed by their ancestors and unknown to the ancients.

The late Lord Sydenham having witnessed the great utility of plank roads during his residence in Russia, (which country led the way in their adoption some twenty or thirty years since) was determined, on his accession to the Governor Generalship of Canada, to test their adaptation to the wants of the Provinces over which he had been destined to rule; and the first plank road constructed there under the supervision of the government,

was commenced some nine years ago. Since when, the Canadians have become so fully satisfied of the very great advantages resulting to the farming and commercial interests of their Provinces, from the introduction of that species of road improvement among them, that they have gone more extensively into this system of road-making than any kingdom or republic on the globe. The larger proportion of these Canadian roads are located in the London district, Canada West. Among them are the following, either finished or in progress: From Port Stanley to London 26 miles, Hamilton to Port Dover, 36 miles; London to Brantford, 57 1-2 miles; London to Chatham, 67 1-2 miles; Chatham to Sandwich, 60 miles; Chatham to Amhertsburgh, 18 miles; London to Port Sarnia, 62 miles; London to Port Goodrich, 75 miles; three or more radiating from Toronto; one at Brockville; one or two at Montreal and Chambly; one at Quebec, and others of less note in different parts of the two Provinces. Making an aggregate length of plank road in Canada, of between 400 and 500 miles!

Our people have not been in the habit of looking to the English *colonies*, at this day, for models of enterprize, and for the invention and early adoption of improvements in the various departments of civil life; but it is as true as it is mortifying, that our *provincial* neighbors across the Lakes are vastly in advance of us, with regard to this, *the* great road improvement of the age. Let us profit by their example, and be prepared to receive lessons of wisdom from *any* quarter.

In the state of New York, the first plank road company (the one at Salina, we believe,) was chartered in 1844; since when, applications for similar charters had increased so rapidly as seriously to obstruct action on other subjects in the legislature. To remedy which, a *general* law was last winter passed there, under which plank road companies could organize without the intervention of special acts in each case. And we learn that, in accordance with this general provision, a large number of companies have organized, for the construction of plank roads in various parts of Western New York. The Salina and Central Square road, 16 miles, is finished and in successful operation; and of the Rome and Oswego road, 62 miles in length, 56 miles are finished and in use. Besides these, the following roads are

expected to be built in the spring, the stock having already been taken: Central plank road, a continuation of the Salina road, 12 miles; Oswego county road, (a continuation of the Central) 17 1-2 miles to the north; Jefferson county road, from the last named, to Watertown, 18 miles; Utica and Watertown road, 94 miles; Syracuse and Tully, 20 miles; Salina and Oak Orchard, 10 1-2 miles; Pulasqui and Port Ontario, 18 miles; Rome and Utica, 15 miles; a road in Montgomery county, 24 miles; another in Warren county, 30 miles; Utica and Bridgewater, 22 miles; five roads leading out of the city of Rochester, varying from 3 1-2 to 10 miles each; and two roads leading out of the city of Buffalo, about 15 miles each. And in addition to the foregoing, roads have been projected, with a probability of their construction, from Syracuse to Homer, 30 miles; from Fulton, in Oswego county, to Vienna, in Oneida county, 35 miles; from Salina to Rome, 35 miles; from Sackets Harbor, to intersect the road from Salina to Watertown, 12 miles; from Oswego to Auburn, 26 miles; and a road in Onondaga county, of about 6 miles in length. There are still others, of the particulars in regard to which we have no certain knowledge.

MODE OF CONSTRUCTION, &c.

As plank road making is a new theory in Wisconsin, and most of our people consequently, entire strangers to the manner of constructing that kind of public thoroughfares, your committee will ask the indulgence of the Council, while they briefly state the result of their inquiries and investigations on this subject.

Plank roads have been in use among the Russians for many years,—their adoption there, having been first suggested, we believe, by the difficulty of constructing any other kind of road-way over their vast 'stepps,' (boggy deserts) in gaining access to the rich and exhaustless ore beds (or iron mines) of that country. But our researches after facts and statistics in regard to the Russian mode of constructing plank roads, have thus far been barren of any satisfactory results.

1st. *Manner of laying down the Plank.*

At Quebec, the plank were in the first instance, laid *lengthwise* of the road, under the impression that the timber would stand friction better in that position, that the plank could be more readily taken up in repairing the road, &c. But it was soon discovered that the horses could not, when heavily loaded, keep their feet on plank thus laid, and were constantly exposed to falling; moreover, the plank were liable to tilt up, and be jostled out of their places. The experiment having worked badly, we believe it has never been repeated.

On one of the Montreal and Chambly roads, the planks are 12 feet in length, but being laid *diagonally* with the line of the road, the track is only 8 feet in width. This mode, too, is disapproved; for it is found, that the coming suddenly of half the wheels and half the load upon *one end* of the plank, while there is nothing at the moment to keep the other down, constantly operates to loosen the planks, causing them to spring from end to end, and very soon seriously disrupts the road.

On all, we believe, of the other plank roads in Canada, as well as those in the United States, the plank are laid *crosswise*, or transversely to the line of the road; which method is found to be free from the objections incident to the others, and liable to few or none peculiar to itself.

It is recommended by the engineer of the Salina road, whose suggestions are all practical and safe, that the ends of the planks ought not to be laid even; but that one in every three should project about three inches beyond the line of the track, so as to prevent the wheels of the turning out vehicles from scraping close along the edges of the plank in passing off and on the track, and causing ruts there. This is found to be an effectual remedy against the formation of ruts on the turn-out paths.

2d. *Width of Planking.*

Much diversity of opinion seems to have prevailed with regard to the most suitable guage for the width, as well of plank as of rail-road tracks. On most of the latter, the rails are laid four feet eight and a half inches, on others four feet six inches apart;

in New Jersey, Ohio and Mississippi, four feet six inches; South Carolina, Georgia and Florida, five feet; in Louisiana, and on the Portland and Montreal road, five feet six inches; New York and Erie road, six feet; while on the 'Great Western' rail way in England, from London to Bristol, the width is seven feet.

But while the superiority of the wider track for rail roads is generally admitted, the reverse holds good as applicable to *plank roads*; for all experience has shown most conclusively, that for a single track *eight* feet is preferable to any greater width. At the commencement of the system in Canada, a plank road track was made from sixteen to twenty-four feet in width for a double, and from nine to twelve feet for a single track. But the engineers of that country are discarding the greater width, and adopting sixteen feet for a double and eight feet for a single track, as the standard breadth. It is well known that travel will concentrate within a narrow range on all roads, and on those of plank is found seldom or never to be extended over a greater breadth than seven or eight feet at the centre. It follows, then, that all over eight feet for a single track, is, for all practical purposes, labor and material thrown away. As the travel converges to the centre of an eight foot track, the superincumbent weight of the vehicles will rest there, pressing and keeping the superstructure firmly and evenly down on the bed; while on wider tracks, say nine or twelve feet, the inclination of vehicles to either side would tilt up and loosen the opposite ends of the plank. On the Toronto road, after seven years use, the top surface of the plank was found to be worn in the centre to the breadth of seven feet only, and to the depth of five-eights of an inch; the rest of the surface, say four feet, (the entire track being twelve feet) was almost as untouched as when the planks came from the saw. Of course one-third of this planking was useless, and one-third of the expenditure on account of it a dead loss. In Canada, through and in the vicinity of the principal towns, the sixteen foot double track is still used; but in New York it is being abandoned in almost all cases, and two eight feet single tracks substituted. Mr. Alvord is so strongly impressed with the belief that eight feet is abundantly sufficient for the width of a plank track, that were he called upon to build a road fifty feet wide, he would construct it in separate eight feet tracks. 'It would

certainly be a little more pleasant for an *unsteady driver* to have a wider track; but economy in building prevents it, while the real usefulness of the road is not impaired.' In Canada. the ends of the plank are mostly pinned or spiked to sills; but this is now deemed useless by the New York engineers; and a Detroit writer says the only use of pins or spikes is to keep the planks from being floated off, where the track should chance to be submerged in water. The planks on the Canada roads, whether of pine, hemlock or oak, are sawed three inches in thickness, and generally from eight to fifteen inches in width: But the engineer of the Salina road, in speaking of the proper thickness of the plank, recommends that where two tracks are made alongside each other, one (for loaded wagons *going* to market) should be laid with four inch plank,—and the other (for generally empty or light ones *returning*) with plank only three inches in thickness. In those cases where the amount of travel is sufficient to *wear* out the plank before it would have time to *rot* out, then four inch plank should be used; otherwise three inches will do —but not less.

3*d*. *Sills—or Sleepers—or Stringers.*

A diversity of opinion has prevailed in regard to this part of the structure. "The sleepers," says the New York senate report, "both in size and in number, have varied and changed since the first introduction of plank roads. At first five or six were placed under a 16 ft. road, and were 6 inches square.—But they have been gradually reduced, both in size and number, so that now, under an 8 ft. track, two sleepers 4 inches square, are considered abundantly sufficient; as the roads laid upon the light sleepers at present used, are as solid, and endure as well as any roads ever built." About a mile of single track plank road is being laid down around the depot of the Detroit rail road, and the engineer writes to us that he uses plank of three inches in thickness, and, as the foundation is somewhat *unsettled*, his sills are 3 by 8 inches, laid flatwise—ordinarily he would use a 4 inch square sill. On the Salina road, 4 by 4 scantling is used for stringers; sills of this size will, more readily than larger ones, settle with the rest of the superstructure, leaving the plank

to rest closely on the earth, thus excluding air and decreasing the liability to rot. Indeed, some think that the chief use of sills is to grade by, and keep the foundation in shape until it acquires solidity by settling, &c. On a short road near Toronto, no sills at all are used, the planks resting immediately on the bed of earth, and the grade and form of the road is preserved nearly as exact as on other roads where sills are used. The sills should be well bedded in the earth, their top surface barely in sight, and the earth in which they are embedded should be broken and pulverized, so as to leave no stones or other hard substance to obstruct their settling evenly, and thus permitting the plank to sink down firmly on the earth as its main support. Two stringers only are used on the Salina road, 4 by 4 inches in size, and none less than 13 feet in length; they should be so laid as to break joints, as in laying brick, or putting on siding, —that is, the ends of the stringers on one side should not be laid opposite the ends of those on the other side. About 6 feet 8 inches, is the proper width between the two lines of stringers, for an 8 feet single track road, which will bring them under the wheels of most road vehicles, and thus give a continuous bearing on them. One set of sleepers of good timber and well bedded, will last as long as two or three plankings.

4th. The Bed or Foundation.

An important part of the whole structure, is the preparation of the bed of earth, or foundation. This should be graded about twenty one feet wide, measuring from the inside top lines of the ditches on each side; the earth on the surface of the bed should be broken and made fine and firm as practicable, and graded smooth; good ditches should be dug in the beginning, say two feet deep, and two and a half feet wide at the bottom, sloping on the sides according to the nature of the soil; a sufficient number of sluices or culverts should be made under and across the bed, to pass all water that strikes the bed rapidly off, and effect a thorough drainage. 'I cannot impress too strongly upon you, (says Mr. Alvord) the necessity of building your road-way high, and draining it well by side ditches and cross culverts.' In grading crosswise of the road, particularly on an old road-way, care should

be taken not to break up and pulverize any greater depth of the surface than is necessary for embedding the sills, for it is important to preserve as *solid* a foundation as practicable. The plank tracks should be laid as far on one side of the road-bed as can be and leave a sufficient shoulder to keep the earth on that side up to and even with the top surface of the plank; one stringer should then be laid by the eye, from four to six inches inside of the intended outline of the plank; then lay the other stringer on a parallel line with the first, and about six feet eight inches from it, which can be leveled by means of a common mason's level, having two legs the requsite distance apart to reach and rest in the two stringers, the leg on the ditch side being two inches longer than the other, so as to give the proper inclination to the plank track; the earth should then be packed close around the stringers, and brought up to a level with the top surface of them, great care being taken to have the surface of the bed even and smooth under the plank, so that they will rest at all points firmly on the dirt, otherwise the plank are apt to spring and wear; the plank should then be laid as close and tight together as practicable. In making the side earth track, or turn-out path, which is twelve feet wide on the Salina road, the earth should come up even with the top surface of the plank track, and slightly fall off towards the ditch at a depression of about four inches in the twelve feet. A planked way thus thoroughly and carefully built, says Mr. Alvord, 'is the ne plus ultra of road-making.' Mr. Geddes saw a road in Canada which 'had been worn out, and was being replanked: the sills were still good, and the plank sound on the under-side, save where *air* had supplied the place of earth, and there they were destroyed by *rot*.'

5*th*: *Single, or Double Track.*

In the opinion of Messrs. Geddes and Alvord, it is seldom necessary to build more than one plank track eight feet wide on the same road, except in and near towns and villages, or other peculiar localities where a very large amount of travel is expected to pass over it. Mr. G. says, "it is difficult to persuade a man who has not seen the thing tried, that one track is entirely sufficient, except in cases of an extraordinary amount of travel;

but it is so." Mr. A. remarks, that "great speculative objection was made in the start to but one-plank track; but we have now the entire community with us in deciding that, on all ordinary roads, one track is fully sufficient. The reason is this: The travel in wet weather is entirely on the plank, except the turning out of the light teams; but they seek the plank again as soon as they can get around the team met or overtaken, so that the turn-out track is not cut with any continuous lengthwise ruts, and perhaps the wheels of not one team in a hundred turn-outs will strike the exact curve of another; consequently, in our experience, our turn-out track being well graded and passing the water easily and rapidly from its surface, remains perfectly hard and smooth." And during a thaw about the beginning of January, when the frost was entirely out of the ground, their turn-out track, which is made of common earth scraped up on the spot, remained perfectly good, and no difficulty was experienced in passing off and on the plank. The Salina road has but one track,—except that for about 100 rods through the village, there are two eight feet tracks, four feet apart, with a graded path-way between; thence but one track runs a distance of two and a half miles, "until it reaches a soil of deep and yielding sand, where two tracks are again laid and continued a short distance, until the road, descending a slight hill, gains the level of the low wet cedar marsh about 80 rods wide, which is crossed by a plank track of sixteen feet wide, laid upon an embankment of sand averaging three feet in height; it then ascends from this swamp up to another range of sandy land, across which two tracks of eight feet are carried for three-fourths of a mile, until the road-way is composed of a gravelly soil, whence but one track is used to its termination." The objections to a sixteen feet double track are: 'As we have already shown, the travel will converge to the centre, and the depressing of a wide road at the centre causes a springing up of the ends of the plank, which, admitting the air and moisture, renders them unstable in their position, and promotes rot; whereas on an eight feet road, common wagons, whose track is five feet four inches, bear more equally on the plank, and tend to keep them in, rather than jostle them out of their place; and thus the timber is all worn out together: Again, on a sixteen feet track, heavily loaded teams, travelling in the

centre, as all vehicles from choice will, move so slowly in turning out, that light and fast vehicles, unless they have *leisure* to await the tardy movements of the heavy one, must be crowded off the plank upon the sidling embankment, (there being no turn-out path to a sixteen feet track,) in their efforts to get *by* the other within any reasonable time, on an eight feet track, however, when a heavy and a light team meet, the latter *of course* takes the turn-out path, and no difficulty nor delay ever need occur in passing. The plank on a sixteen feet double track at Toronto having become loose and unsettled, they were sawed in two in the centre—thus partially imparting to the road the advantages of two eight feet single tracks, excepting the convenience of a turn-out path in the centre; after which, it is said to have worked better than any sixteen feet track had ever done before. 'It certainly would be more pleasant for an *unsteady* driver,' (remarks Mr. Alvord,) 'to have a wider track than eight feet; but economy in building prevents it, while the real usefulness of the road is not impaired by confining it to that width.

When the construction of a sixteen feet track becomes absolutely necessary, in locations where the unsettled and yielding consistence of the soil will not admit of grading a turn-out path of sufficient solidity, from three to five sills should be used, on a crowning grade with a convexity of two or three inches in the centre of the road; and the ends of the plank should be slightly sprung down on each side, and spiked or pinned to the outer sills.

6*th*. *Grading*.

The Port Stanley and London plank road foundation is graded thirty feet wide between the ditches, and the bed raised twelve inches above the natural surface of the earth. This road ascends from the lake to the level of the country by a grade of one foot elevation in thirty, although in one case it overcomes an ascent of one foot in twenty; and it is Mr. Talcott's opinion, that an inclination of one foot in twenty-one can be very easily overcome on a plank road. But Mr. Alvord, in a recent letter to us, says: 'In building a plank road there is no neces-

sity of paying that strict attention to lengthwise grading, which is supposed to be necessary by the speculative (not practical) road builder. I can hardly conceive of any elevation in your country which would require much cutting down. We pass over rises on our road, (short, it is true,) of *one foot in ten.* It is easier to go over the same elevation on a plank road than on a common dirt one; for on plank there is no cutting into the substance passed over, nor encountering of stones by the wheels; and if, as it ought to be, the plank way is covered with a slight coating of earth, the only danger suggested, the slipping of the animal, is avoided. It would be a prettier sight for the eye, were we to grade our plank roads more level; but while their practical utility is not lessened in any perceptible degree by their unevenness, economy forbids the expense of *levelling* them for *ornament!* The grading and grubbing on the Port Stanley road seems to have been more costly than on any similar structure in Canada. Independent of embankments and deep cuts, the expenditure on account of grading, &c. of this road, averaged $320 per mile. While on the Salina plank road, (built on an old road-way, however,) the whole cost for bridges, sluices, and contingencies, was only $63 per mile. Where the entire foundation is to be made anew it is difficult to make any calculation that can claim to be more than an approximation to accuracy, in regard to the expense of grading, &c. Should the line of the road pass over a plane surface, with only gentle undulations, or over an old road-way, with no hills to cut down, nor valleys to fill up, fifty cents a rod might cover the expense; while under other circumstances, one dollar per rod would not be too high an estimate. Seventy-five cents per rod was the cost on the Salina road. The grading, when once well done, is done for all time.

7th. Timber for Plank and Sills.

In Canada, the kind of timber used for stringers, is pine, or hemlock, or tamarack; while pine, or hemlock, or oak, are the materials used for planking. For the Salina road, and we believe for that at Oswego also, hemlock is invariably used, for the reason that it is more abundant and cheaper than any other timber, although it is acknowledged not to be as durable as pine.

Oak is used to a considerable extent at and near London, (Canada West) for planking; and Mr. Gzowski, the engineer there, who has probably constructed more plank roads than any man in America, is of opinion that oak plank will wear at least as well as any other. *Slipperiness* is the main objection urged against oak and other hard wood; but this objection can, in a great measure, be obviated by a thin coating of sand or earth spread over the planking; although a slight additional expense for hauling and handling the hard wood might be incurred, because of its 1-5th greater specific gravity than pine or dry hemlock. A writer in the Detroit Free Press, however, thinks that *oak*, from 'its superior capabilities to resist both wear and decay, would make the most permanent road;' and in support of this opinion, he refers to the fact, that the *oak* plank cross-walks in that city, the plank being laid flat upon the ground, are found to last two or three times longer than those laid with *pine* plank.' Mr. Alvord also has a preference for oak, as planking; he says:—'your oak plank, three inches thick, well laid, I have no hesitation in saying, would last at least twelve if not fifteen years.'

Your committee view this as a consideration of much importance to a large portion of the most densely populated sections of Wisconsin, as white and burr oak are the principal kinds of *local* timber they will have to depend on for plank road structures; although your committee are of opinion, that hemlock might be delivered at many points in our territory at such cheap rates, as to become the preferable timber for planking.

DURABILITY OF PLANK ROADS.

This is a question of no small magnitude, determining the value of this class of road improvements, and the expediency of adopting it. Of course the durability of plank roads is dependent, in a very considerable degree, upon the amount of travel upon them, and other contingent circumstances. One efficient means of protecting the plank against wear by abrasion, is the covering them with an inch or two of sand or earth,—the grit of which, combined with the excrement of the animals and the fibres of the wood, protects the plank from the corks of the

horses' shoes and the bruises of the wheels; and forms a hard coating of grit, fibre, &c., of three-fourths of an inch to one inch in thickness, which it is difficult for either cork or wheel to disturb. Mr. Gzowski calculates the wear by abrasion, at the rate of one-fourth of an inch in two years; and as planking will not break through until one and a half or two inches of the surface is worn away, it follows from this that the duration of the plank will be eight years. But this calculation is based upon the supposition that the planking is of pine or other soft wood; oak will of course last from twenty to fifty per cent longer. According to the experience of the Salina company, plank from three to four inches in thickness will last from seven to twelve years; although Mr. Alvord of that company, thinks as above stated, that our Wisconsin oak might endure twelve or fifteen years. The wear and tear of the first year, is said to be equal to that of the seven succeeding years; and Mr. Gzowski says the *repairs* of the first year are double those of any succeeding one, until the road comes to need re-planking.

COST OF PLANK ROADS.

This, too, is a consideration of no small moment, in deciding upon the adoption of this species of road improvements. Their cost will necessarily depend much on the physical characteristics of the country, and the facilities of obtaining suitable timber. And much also depends upon economical management.—All the expenditures on the Salina road seem to have been husbanded to the best advantage. As Mr. Alvord remarks, they built it themselves—that is, they superintended it themselves, hired their workmen by the day, bought their teams, tools, &c., and he feels 'satisfied that this is the true way,' not only to save expense, but to secure a more substantial structure than could be expected through the agency of contractors. The most expensive plank road of which we have any particulars, is that from Port Stanley to London, Canada West, the average of which was $4,000 per mile. But they were unfortunate in their route, —having frequently to make heavy excavations for the distance of ten miles, with a necessity of constructing seventeen bridges on the entire line, and having to procure their plank from the

state of Michigan, at a cost of $24 per M; their road, too, is of unnecessary large dimensions, being sixteen feet at some points, and twelve feet in width at others, with four by six inch stuff for sills. The average cost of all the Canadian roads, however, is stated by Mr. Gzowski at about $3,500 per mile. But when it is recollected that these Canadian roads are one-third larger than the *modern* structures in western New York, and at least one-sixth more expensive than those constructed in accordance with American improvements and economy, (as exemplified by Messrs. Geddes and Alvord's management of the Salina road,) it is evident that the average might be reduced to less than $2,000 per mile.

Although it is doubtless to be attributed to favoring circumstances, that the Salina road was constructed so cheaply the *actual* expenditure being on an average only $1,487 per mile; yet we perceive that the *estimate* of the cost of the Rome and Oswego road is even less—only $1,250 per mile; the difference in their favor, however, consists in the low price of their hemlock plank, which seems to have cost them only $3.50 to $4.00 per mile; and moreover, they built upon an old road-way, with very little expense for grading, &c. What was the *actual* expenditure on this road we have not been advised.

Mr. Geddes, the engineer, made the following estimate of the average.

Cost per mile of the Salina Road:

Sills, 4 by 4 inch scantling,.....	14,080ft	
Plank, 8ft long, 4 inches thick,.....	168,920ft	
At $5 per M.....	183,000ft	$915
Laying and grading $1 per rod.....		320
Engineering, superintendence, &c. 10 per cent,.....		102
Gates and gate houses,.....		100
Sluices, bridges, and contingencies,.....		63
Aggregate cost per mile,.....		$1,500

This was the *estimate;* the *actual* cost of the road, as we learn from the superintendent, was only $1,487 per mile.

Mr. Judson estimates the cost of a road, 'made of hemlock

plank four inches thick, the track 14 feet wide, with a carriage way to turn out on each side, having five good stringers, 6 by 8 inches in size, all complete, at about $2,500 per mile.' But Mr. J. wrote *four years ago!* and his fancy road is 6 feet too wide, with three stringers too many in number and one-third too large in size; so that his estimate, after scaling down his road to modern dimensions, (say 8 feet track with only two stringers of 4 by 4 inch scantling) would not vary materially from that of Mr. Geddes of the Salina road, about $1 500 per mile.

Mr. Talcott made an estimate of the cost of a *double track* plank road. 16 feet wide, from Chicago to Desplains river, at an average of $3,124 per mile, reckoning the plank at $8 50 per M; at this rate of computation, the expense of an 8 feet wide *single track*, built after the most approved dimensions *at this day*, (his calculations having been made *three years* since) would be something over $1,700 per mile. But as Mr. T. acknowledges he never had any experience in that line of engineering, and seems to have adopted the maximum price for plank, for work, &c., your committee think it would be certainly safe to assume his calculation as the *maximum* cost of a plank road on almost any feasible route in Wisconsin

Having now finished the data on which to base an estimate, any ready reckoner can calculate for himself, and judge of the reasonableness of the estimate we present below, of a single track plank road, 8 feet wide, built in accordance with modern improvements.

If of hemlock, $6 per M:

Sills, 4 by 4 inch scantling,.....	14,080ft	
Plank, 4 inches thick,.....	168,960ft	
At $6 per M.....	283,040ft	$1098.20
Grading road and laying plank and sills,.....		320.00
Sluices, bridges and contingencies,.....		100.00
Engineering, superintendence, &c.,.....		100.40
Gates and gate houses, say,.....		100.00
		$1718.60

Or if white or burr oak timber is used, at $8 per M, then we

would state the maximum cost of such a road at about $1,900 per mile.

In all the most densely populated portions of our territory, south and east of the Wisconsin river, the general character of the country is that of a plane surface, offering very few obstacles to the construction of roads, such as deep excavations, heavy embankments, costly bridges, or frequent sluices or culverts, and where timber is not very scarce nor dear, we feel confident that roads of this character, of a capacity sufficient to meet all the wants of our productive and industrial classes, as well as of our market towns and commercial and business depots, at an *average* cost certainly not to exceed $1,800 per mile.

Your committee learn that Gov. Cass is at this time constructing an 8 feet wide single track plank road on his individual account, to extend from his farm into the city of Detroit, a distance of about one mile and a half. It is laid upon a travelled roadway; the lumber costs $6 per M, and the whole expenditure will not exceed an average of $1,500 per mile.

TOLLS.

It is suggested by those most experienced in the management of plank roads, that the tolls be so regulated as to blend the interests of the owners and of the public. By the charter of the Salina road, the directors are authorized to levy a toll of *two cents* a mile for a two-horse vehicle; but as it is for their interest to encourage such an amount of travel as will ensure the *wearing* out rather than the rotting out of the plank, and as a light tariff will bring a heavy revenue, they have thus far never availed themselves of the maximum rates of toll allowed, but have only charged one and a half cents per mile in summer, and one cent in the winter.

PROFITS OF PLANK ROADS.

From careful estimates of the quantity of travel on the market roads and principal thoroughfares of Wisconsin, your committee are of the opinion that the stock of plank roads on the routes of nearly all of that kind of highways, would be a good invest-

ment, yielding a profit of seven to fifteen per cent. per annum. The stock of the Salina company cannot now be purchased at par; and we learn from the superintendent, that, since the completion of that road, they have made semi-annual dividends at the rate of 12½ per cent. per annum,—besides having accumulated a reserved fund of surplus profits, within somewhat more than one year, of about $3,500! So that considerations of private revenue are superadded to those of public utility, in urging the adoption of plank road improvements among us. And this profit accruing to the company, is not the only pecuniary advantage immediately emanating from the construction of plank roads, for they impart increased value to all contiguous property. We are advised from Salina, that it is a "universally admitted and proven fact, that" since that road has been in existence, a period of about eighteen months, "it has benefitted the three towns through which it passes more than $100,000."

SPEED, DRAUGHT, &c.

Over the Port Stanley and London road, (Canada West) two-horse light wagons, with five to six passengers, travel at the rate of eight miles an hour with perfect ease; and two horses in a lumber wagon usually haul two tons (forty hundred) at a load. And on the London and Brantford road, two-horse teams invariably carry sixteen barrels of flour each, at a load, from Woodstock mills, 52 miles. The motion of a carriage over these roads, is said to be similar to that on a solidly beaten snow track.

PLANK ROADS PREFERRED BY FARMERS.

It is a prevalent opinion among those who are unadvised of the capabilities of plank roads, that when Wisconsin comes to be traversed by rail roads, the planked ways will in a good measure be superseded in their usefulness. But your committee are fully persuaded, that this idea is entirely erroneous. Half a dozen rail roads leading into a market town, would not obviate the necessity of a good road for wagons in all seasons, to a distance of thirty miles at least from the place. Rail roads can never be made to "take the place of teams for the transpor-

tation of grain," &c., "within one day's drive of a" market, "because the farmer can carry the cheapest for that distance." there are seasons when work is slack with almost every farmer; yet his teams are daily consuming as much food at such times, as when fully employed. Availing himself of these seasons, he can haul his produce to market with a very few shillings' expense in addition to what would have been incurred had his teams remained idle in their stalls.

Your committee have recurred more frequently to the SALINA road than to any other, as the basis of their remarks and calculations, because they look upon that as a model work —as well with regard to the solidity of its structure, and the economy with which it was laid down and completed, as on account of the judicious management of the whole concern by the engineer and superintendent. The suggestions of those gentlemen in this connection, therefore are entitled to much consideration. They recommend that the work on plank roads be done *by the day;* and that an energetic man, competent as an engineer, and capable of directing the whole of the operations, be placed in charge of the works. They became satisfied, from their observation in Canada and their experience afterwards at home, that in this way the foundation of a plank road can be more thorougly made, the timber more perfectly bedded, &c. than when the work is let out to jobbers. Besides securing a more substantial structure by days' work and personal supervision, this method has been proved, in the construction of the Salina road at least, to be the most economical, it having saved to that company some thousands of dollars in the cost of the entire road.

Now in view of these facts and suggestions, it must readily occur to every FARMER, within a reasonable distance of the line of a plank road, that he can better afford to take stock in such a company than any other of our industrial classes, because he can more chealy pay for his shares,—by *working them out* on the road. Every head of a family with his teams, wagons, plows, scrapers, shovels, and other implements which are always at hand in the cultivation, &c. of his farm, could, during those leisure times which every one occasionally enjoys, work out from one to a dozen shares, according to his force and proximity to the road, without any serious diversion of his attention

from his regular vocation, or perceptive detriment to his crops. In fine, to all classes of our farmers, no scheme was ever devised that afforded so rich an assurance of immediate and positive benefits to *them*, as the construction of PLANK ROADS in the neighborhood of their farms.

In consideration, therefore, of the vast advantages resulting from the adoption of this system of road improvements, as demonstrated by the facts and statistics herein presented, your committee not only deem it good policy to encourage the construction of that class of public thoroughfares throughout the length and breadth of Wisconsin, but they conceive it an incumbent duty to recommend, that the sanction of legislative enactment be extended to all projects of the kind, whether prosecuted by individual or associated enterprise.

And in order to give effect to their recommendation, with reference to the petition from Racine and Walworth counties, they have prepared a bill in accordance with the prayer of the petitioners, which they beg leave to present herewith.

All which is respectfully submitted.

PHILO WHITE, Chairman.

[SEE PAGE 46.]

COMMUNICATION

FROM THE SECRETARY.

OFFICE OF THE SECRETARY OF
THE TERRITORY OF WISCONSIN,
Madison, Feb'y. 15th, 1848.

To the Legislative Assembly, Wisconsin Territory.

GENTLEMEN: I have been furnished by the Treasury Department with a statement of the settlement of my account as Secretary of the Territory, of the expenses of the Legislative Assembly incurred in October last, by which it appears that a balance is found due to the United States of $9036 69.

The sum of $377 60 being part of the sum of $589 81-100 appropriated to H. A. Tenney by act approved October 27, 1847, for incidental printing, has been suspended and disallowed, and I respectfully request that said sum may be appropriated to me, payable out of the territorial treasury.

I enclose the voucher of Mr. Tenney, showing that I paid the amount to him. Also, the letter of the Comptroller showing its disallowance, and the reasons therefore, and also the original bill of H. A. Tenney for incidental printing, amounting to the sum of $589 81-100. The items in said bill which have been disallowed I have marked with a cross, that they may be readily seen.

With great respect,
Your obedient servant,
JOHN CATLIN,
Secretary of Wisconsin Territory.

[See Page 165.]

REPORT

OF THE COMMITTEE ON TERRITORIAL EXPENDITURES ON THE COMMUNICATION OF HIS EXCELLENCY THE GOVERNOR.

The committee on territorial expenditures to whom was referred the communication of his excellency, the governor, in relation to certain resolutions relative to the loan in aid of the Milwaukee and Rock river canal, and certain outstanding bonds, having had the subject under consideration, respectfully submit the following

REPORT:

That from the examination they have been able to give the subject, they are of the opinion that the following facts are clearly established.

By the acts of the legislative assembly of the territory of A. D. 1839 and 1841, a loan in aid of the Milwaukee and Rock river canal was authorized, and the governor empowered to appoint an agent for the purpose of negotiating the loan. In pursuance of the authority thus given, an agent was duly appointed and commissioned, by whom a loan was effected, and ten bonds or certificates, of one thousand dollars each, put in circulation. These bonds are now outstanding.

It further appears that the proceeds of that loan, to the amount of the principal sum of the said bonds, stand credited to the territory upon the books of the Milwaukee and Rock river canal company, between which, and the territory, there then did, and still does, exist an unfortunate business relation. The amount thus credited, the said company proposes shall stand as a credit in stock, to the territory, in a settlement now sought to be effected.

It is not alleded that any fault is attributable to the executive authority under the laws, in the appointment of the agent to negotiate a loan, or in issuing the bonds. But it is charged that the agent thus legally appointed, has so far exceeded his authority, as defined by the acts of the legislatures, and the letter of attorney conferring his appointment, that the territory is absolved from all obligation in the premises, and justified in repudiating the bonds.

It becomes necessary, therefore, for us to inquire in what manner the loan agent discharged his trust, and whether his acts justify the territory in adhering to the high stand heretofore taken.

Your committee will not enter into a minute detail of the conflicting views, and differences of opinion, the want of harmony and concert of action between the loan agent, and the receiving officer of the canal fund, which has become matter of history — We shall confine our inquiry to the facts immediately connected with the loan By the laws authorizing the loan already referred to, it was provided "that the money borrowed may be deposited in any sound specie paying bank, which shall be selected by the canal commissioners, and the governor, subject to the draft of the receiver of the canal fund."

The selection of the deposite banks was made, leaving it discretionary, in some respects, with the loan agent, as to what particular bank or banks, of a class selected, should be made the depositaries of the loan. [See council journal session of A. D. 1841 and 1842.]

Thus far, your committee are of the opinion that every step taken was in strict compliance with the law. But in the negotiation of the loan, your committee are of the opinion it is not to be disguised that the loan agent departed from the letter of attorney conferring his appointment, and from the provisions of the law authorizing the loan.

The law, and the power of attorney, required the loan agent to deposit the money obtained, "subject to the draft of the receiver of the canal fund." The money obtained on this loan was deposited to the credit of the loan agent, and not to the receiver. All arrangements in relation to this loan between the agent and the receiver had at this time ceased.

The fund thus obtained, it is alleged, was drawn and applied to the payment of demands against the canal company growing out of contracts between the canal company and contractors employed in the building thereof. Those contracts, it will be remembered, had been entered into with the company, and approved by the acting canal commissioners on the part of the territory.

Several questions here present themselves which your committee do not propose to discuss. We do not deem it necessary to decide whether the loan agent or the receiver of the canal fund was right in the position by them assumed. We enter into no discussion of the question how far an agent may bind his principal, whether general or special, or into the liability of an agent to his principal—matters which more immediately concern the parties themselves. Neither do we consider it necessary to enlarge upon the history of the negotiation. It is not pretended that the money was not paid on the loan, according to the contract with the agent; and that, to the amount thus paid, the holders of the bonds are the losers, whatever may be said as to the use of the funds obtained.

Your committee content themselves with stating the following as the conclusions to which they have arrived:

1st. We are without evidence of a fraudulent intention on the part of the immediate parties to the loan.

2d. The bonds were negotiated by a legally authorized agent for a valuable consideration, paid by the party or parties receiving them.

3d. The territory had by legislative enactment become an interested party with the canal company in the Milwaukee and Rock river canal.

4th. The money thus obtained was so applied that the territory is credited in stock in said canal to the amount of the principal sum of the bonds thus negotiated and outstanding against it.

Whether wisely or unwisely applied, it is unnecessary for us to determine. We are constained to say, that we can find no satisfactory reason "why the territory should persist in pronouncing those bonds null and void." Believing, therefore, that the honor as well as the interest of the territory requires that this

subject should be finally disposed of, and the money which has been obtained on the credit of our bonds be repaid, we respectfully submit the following resolution.

J E. HOLMES,
Chairman.

Resolved, That so much of the resolution of the legislative assembly of the territory of Wisconsin, passed February 12th, A. D. 1841, as declares that certain bonds, of which the ten now outstanding against the territory are a part, "are null and void, and that there is not, nor can be any obligation, either legal or equitable, resting upon the territorial government to reimburse the amount of said bonds or certificates, or any part thereof," be, and the same is hereby rescinded.

COMMUNICATION

FROM THE SECRETARY.

OFFICE OF THE SECRETARY OF WISCONSIN TERRITORY,
Madison February 8, 1848.

Hon. H. N. WELLS,

President of the Council:

SIR—I have the honor herewith to enclose an abstract of the population of the territory of Wisconsin, onthe 1st day of December, A. D. 1847, taken from the official returns made to this office, in compliance with a resolution passed by the council this day.

With great respect,

Your obd't serv't,

JOHN CATLIN,

Sec'y of Wisconsin Territory.

ABSTRACT *of the population of the territory of Wisconsin, on the first day of December, A. D.* 1847, *by towns and counties.*

Counties.	Towns & Precincts.	Population of towns.
BROWN,.....	Green Bay,.....	1416
	Depere,.....	468
	Kaukalin, ...	385
	Howard & Lawrence	645
		2914
CALUMET,.....	Manchester, ...	575
	Stockbridge, ...	491
		1066

ABSTRACT—(*Continued.*)

Counties.	Towns & Precincts	Population of towns.
COLUMBIA,.....	Columbus,.....	949
	Dekorra,.....	201
	Wyocena,.....	475
	Le Roy,.....	980
	Dyersburg,.....	466
	Winnebago Portage	164
	Pleasant Valley,	203
	Lowville,.....	253
		3791
CHIPPEWA,.....	No returns,.....	
CRAWFORD,.....	Prairie du Chien,..	892
	Mount Sterling,...	223
	Prairie La Cross,	74
	Black River Falls,	153
	Black River,.....	67
		1409
DANE,.....	Madison,.....	1166
	Sun Prairie & Windsor,.....	2764
	Rutland & Oregon,	1050
	Cross Plains, Clarkson & Springfield,	1092
	Rome,.....	852
	Dunkirk,.....	539
	Verona & Montrose,	800
	Christiana & Albion	1362
	Greenfield,.....	361
	Cottage Grave,....	949
		10935
DODGE,.....	Ashippen,.....	750
	Burnett,.....	677
	Beaver Dam.....	1034
	Chester,.....	563
	Calmus,.....	550
	Clyman,.....	633
	Emmett,.....	1006
	Elba,.....	938

ABSTRACT—*(Continued.)*

Counties.	Towns & Precincts.	Population of towns.
DODGE,.....	Fox Lake, ...	507
	Fairfield,.....	879
	Hustisford,.....	483
	Hubbard,.....	1249
	Lebanon,.....	806
	Lowell, ...	1002
	Le Roy,.....	1234
	Portland,.....	686
	Rubicon,.....	505
	Trenton,.....	820
	Williamstown,....	584
		14906
FOND DU LAC,.....	Oakfield,.....	410
	Waupun,.....	936
	Alto,.....	339
	Byron,.....	651
	Fond du Lac,.....	1033
	Taycheedah.....	541
	Seven Mile Creek,	306
	Ceresco,.....	326
	Rosendale,.....	689
	Metomon,.....	460
	Calumet,.....	1054
	Forest,.....	311
	Auburn,.....	353
		7409
GRANT.....	Smelzers Grove,..	470
	Jamestown,.....	453
	Beetown, ...	1230
	Cassville,.....	383
	Patch Grove,.....	803
	Fair Play,.....	403
	Potosi,.....	771
	Pleasant Valley,..	843
	Waterloo,.....	179
	Hurricane,.....	368
	New Lisbon,.....	226
	Lancaster,.....	700
	Hazle Green, ...	1278

ABSTRACT—*(Continued.)*

Counties.	Towns & Precincts.	Population of towns.
GRANT,.....	Melville,.....	67
	Platteville,.....	2714
	Head of Platte,...	358
	Centreville,.....	218
	Muscoday,.....	78
	Fennimore Grove,	179
		11720
GREEN,.....	Monroe,.....	2063
	Sugar river.....	1400
	Greenville,.....	816
	Colimina,.....	767
	Decatur.....	654
	Millcreek,.....	787
		6487
IOWA & RICHLAND,	Ranges Nos. 1 & 2,	2832
	Richland county,..	235
	Mineral Point,....	2046
	Porter's Grove, ...	542
	Dodgeville;.....	1421
	Yellow Stone, ...	287
	Arena,.....	263
	Percussion,.....	337
		7963
JEFFERSON,.....	Aztalan,.....	840
	Cold Spring,.....	495
	Concord,.....	478
	Farmington,.....	346
	Hebron,.....	457
	Ixona,.....	870
	Jefferson,.....	1088
	Koshkanong,.....	1161
	Lake Mills,.....	666
	Oakland,.....	619
	Palmyra,.....	647

ABSTRACT—*(Continued.)*

Counties.	Towns & Precincts.	Population of towns.
JEFFERSON,.....	Sullivan.....	857
	Watertown,.....	2362
	Waterloo,.....	577
		11464
LA FAYETTE,.....	Benton,.....	1919
	Fever River,.....	1417
	White Oak Springs,	523
	Shullsburg,.....	1860
	Elk Grove,.....	437
	Belmont,.....	513
	Prairie,.....	602
	Willow Springs...	682
	Gratiot,.....	257
	Wayne,.....	211
	Wiota,.....	914
		9335
LA POINTE,.....	La Pointe,.....	346
	Bad River,.....	21
		367
MANITOWOC,.....	Manitowoc,.....	759
	Twin River,.....	526
		1285
MARQUETTE,.....	Apuckaway,.....	399
	Lake Moriah,.....	333
	Tickorah,.....	624
	Green Lake,.....	246
	Fox River,.....	314
	Dartford,.....	345
		2261
MILWAUKEE,.....	City of Milwaukee,	
	1st Ward,.....	4401
	2d Ward,.....	3872
	3d Ward,.....	2973

ABSTRACT—(*Continued.*)

Counties.	Towns & Precincts	Population of towns.
MILWAUKEE,.....	4th Ward,.....	1452
	5th Ward	1369
	Town of Milwaukee	836
	" " Greenfield,	1766
	" " Franklin,	1041
	" " Lake,.....	1182
	" " Oak Creek	1145
	" " Granville,	1412
	" " Wauwatosa,.....	1372
		22791
PORTAGE,.....	Grand Rapids,....	431
	Plover,.....	185
	Steven's Point,....	201
	Dubay's Point,....	156
	Little Bull,.....	94
	Big Bull,.....	313
	Eauclaire,.....	124
		1504
RACINE,.....	Racine.....	3647
	Yorkville,.....	936
	Mount Pleasant....	906
	Raymond,.....	816
	Caledonia,.....	904
	Wheatland,.....	894
	Salem,.....	832
	Bristol,.....	912
	Paris.....	904
	Southport,.....	2870
	Pike,.....	619
	Pleasant Prairie,..	862
	Brighton,.....	889
	Norway,.....	636
	Rochester,.....	1536
	Burlington,.....	1373
		19539

ABSTRACT—*(Continued.)*

Counties.	Towns & Precincts.	Population of towns.
ROCK,.....	Janesville,.....	2587
	Beloit,.....	1851
	Johnstown.....	921
	Lima,.....	819
	Milton,.....	890
	Centre,.....	907
	Spring Valley,....	640
	Magnolia,.....	418
	Rock,.....	430
	Union,.....	815
	Fulton,.....	601
	Porter,.....	637
	Newark,.....	779
	Avon,.....	414
	Turtle,.....	770
	Clinton,.....	776
	Bradford,.....	464
		14729
SAUK,.....	Sauk Prairie,.....	1223
	Baraboo,.....	955
		2178
SHEBOYGAN.....	Precinct No. 1. ...	1785
	do 2,....	1191
	do 3,....	425
	do 4	964
	do 5,....	580
	do 6,....	142
	do 7,....	492
		5580
ST. CROIX,.....	District No. 1, South of Stillwater,	1240
	District No. 2, North of Stillwater,	434
		1674
WALWORTH,.....	Bloomfield,.....	728

ABSTRACT—*(Continued)*

Counties.	Towns & Precincts.	Population of towns.
WALWORTH,.....	Darien,.....	853
	Delavan,.....	1012
	East Troy,.....	1027
	Elk Horn.....	339
	Geneva,.....	1238
	Hudson,.....	1036
	La Fayette,.....	940
	La Grange,.....	867
	Linn,.....	574
	Richmond,.....	617
	Sharon,.....	956
	Spring Prairie,.....	1332
	Sugar Creek,.....	656
	Troy.....	855
	Walworth,.....	901
	Whitewater,.....	1108
		15039
WASHINGTON,....	Erin,.....	664
	Richfield, ...	1152
	Germantown, ...	1722
	Mequon, ...	1777
	Hartford, ...	900
	Polk,.....	1091
	Jackson,.....	798
	Grafton,.....	1873
	West Bend,.....	960
	Clarence,.....	410
	Fredonia,.....	538
	Port Washington,..	2314
	Addison,.....	1010
	North Bend,.....	332
		15547
WAUKESHA,.....	Waukesha,.....	1905
	Warren,.....	905
	Vernon,.....	701
	New Berlin,.....	1146
	Brookfield,.....	1232
	Summit,.....	933
	Oconomowoc,....	911

ABSTRACT—*(Continued.)*

Counties.	Towns & Precincts.	Population of towns.
WAUKESHA,.....	Muckwonego,....	894
	Eagle,.....	732
	Ottawa,.....	723
	Delafield,.....	806
	Genesee,.....	1004
	Menomonee,.....	1062
	Lisbon,.....	901
	Pewaukee, ...	1016
	Muskego, ...	991
		15866
WINNEBAGO,.....	Brighton,.....	546
	Rushford,.....	727
	Butte des Mortes,..	312
	Winnebago, ...	678
	Neenah, ...	524
		2787
Total population in the territory, ...		210,546

344.

REPORT

OF THE COMMITTEE ON TERRITORIAL EXPENDITURES ON A COMMUNICATION OF HIS EXCELLENCY THE GOVERNOR.

The committee on territorial expenditures to whom was referred the communication of his excellency, the governor, concerning the communication of Edward Outhwaite, relative to extra compensation for taking census of the county of Brown, in A. D. 1847, having had the subject under consideration, respectfully submit the following

REPORT:

That they are satisfied from the facts stated in the several communications that the circumstances under which the census of Brown county was taken, that the person taking the same is equitably entitled to an extra compensation for his services rendered, over and above the one dollar per hundred persons enumerated. But your committee do not deem it a proper charge upon the territorial treasury.

By the law authorizing the taking the census, it is provided "that each county shall pay for taking the census in its own limits, and for the abstract copies of the same, in the same manner as other county expenses are paid." Your committee do not regard this claim as being an exception to the above provision as to the source from which payment is to be made. We cannot bring ourself to the conclusion that the county of Brown can justly refuse to pay a meritorious claim of the character of the one under consideration. Neither can we consider it as a proper subject of legislative action. The principal object of providing the rate of compensation by law, as we regard it, is to enable the agent taking the census to know before hand what

he is to expect, and by what rule his accounts are to be audited, and to produce uniformity in settling the accounts. But where the taking of such census is under any extraordinary circumstances, as to the time in which it is to be done, or the distance to be traveled, it is a matter that recommends itself to the supervisors or commissioners of the county, to whom all these circumstances can be made known, and an adequate compensation fixed.

Your committee are of the opinion that no legislative action is necessary, and that none that could now be had would increase the obligation of the county to pay.

The legislature having made general provisions on the subject, and the work having been performed, it has become a proper subject matter for the boards of commissioners or supervisors, the comptrolling agents of the counties for the time being, to make provision for the payment of both ordinary and extraordinary compensation, when the justice and equity of the case requires more than ordinary compensation.

From this view of the subject, we are of the opinion that the whole subject matter is properly within the control of the board of the county of Brown, and ask to be discharged from the further consideration of the subject.

J E. HOLMES,
Chairman.

[See page 47.]

COMMUNICATION

FROM THE AUDITOR AND TREASURER.

Office of the Auditor and Treasurer,
Madison, Feb. 15th, 1848.

To the Hon. H. N. WELLS,

President of the Council:

Sir—In compliance with a resolution passed by the Council on the 12th inst., we have the honor to

REPORT:

That from an examination of the returns made, and the amounts paid, there appears to be due from the several counties hereinafter named, for the years specified, the following sums, to wit:

Names of Counties.	Year.	Amount of each year.	Total.
Crawford, for.....	1846	$ 69 39	
do	1847	108 62	
			$178 01
Iowa, for.....	1845	370 20	
do	1846	145 80	
do	1847	666 72	
			1,182 73
Brown, for	1845	349 83	
do	1847	447 99	
			797 82

STATEMENT—(*Continued.*)

Names of Counties.	Year.	Amount of each year.	Total.
Green, for	1843	$ 67 68	
do	1844	143 26	
do	1846	9 73	
do	1847	43 00	
			$263 67
Jefferson, for	1840	35 35	
do	1845	175 13	
do	1847	595 94	
			806 40
Walworth, for	1843	133 50	
do	1844	10 00	
do	1847	1,491 46	
			1,634 93
Racine, for	1840	277 36	
do	1842	339 75	
do	1843	186 40	
do	1845	62 24	
do	1847	1,577 14	
			2,442 92
Dane, for	1847	bal. due,	274 37
Milwaukee, for	1845	511 00	
do	1846	1,414 29	
do	1847	2,211 98	
			4,167 27
Grant, for	1845	9 00	
do	1847	579 46	
			588 46
Manitowoc, for	1846	201 04	
do	1847	206 73	
			406 77
Rock, for	1847	bal. due,	11 26
Fond du Lac, for	1845	6 73	
do	1847	200 00	
			206 73
Sheboygan, for	1841	32 45	
do	1842	23 42	
do	1843	13 30	
do	1845	40 32	
do	1846	33 87	
do	1847	356 95	
			500 31

STATEMENT—*(Continued.)*

Names of Counties.	Year.	Amount of each year.	Total.
Washington, for	1847		$778 26
Dodge, for	1841	$ 21 43	
do	1844	18 49	
do	1843	No returns	
do	1841	10 52	
do	1845	263 35	
do	1846	451 41	
do	1847	718 65	
			1,483 85
St. Croix, for	1842	16 63	
do	1847	26 98	
			43 61
Portage, for	1843	31 27	
do	1845	127 84	
do	1846	21 12	
do	1847	28 91	
			209 14
Sauk, for	1844	26 05	
do	1845	14 22	
do	1847	117 84	
			158 11
Marquette, for	1847		150 99
Winnebago, for	1845	6 05	
do	1847	199 34	
			205 39
Waukesha, for	1847		799 83
Calumet, for	1845	42 92	
do	1846	55 80	
do	1847	151 60	
			250 32
Columbia, for	1847	Bal. due.	4 57
La Fayette, for	1847		868 56
Making a sum total of, ...			$18,413 27
Of which the sum due for 1847 is, ...			$12,617 12
Leaving due for previous years, ...			$5,796 15

Although the total amount of the indebtedness of each county in the foregoing statement is correct, according to the returns from the same and the books in our respective offices, yet the indebtedness set to each year may in some instances be incorrect; and that the matter may not be misunderstood, the following explanation becomes necessary: For example, a county is in arrears for two or more years, and then sends to the treasurer a sum of money more than sufficient to pay the arrearage of either year, without specifying which year is intended to be paid in full, and upon which year the remainder is to be applied. These instances have been of frequent occurrence, but so far as the territory and the counties are concerned, they will make no difference, as the aggregate indebtedness of the county is not affected thereby.

All of which is respectfully submitted.

GEO. P. DELAPLAINE, *Auditor.*

JONATHAN LARKIN, *Treasurer,*

REPORT

OF THE SECRETARY OF THE TERRITORY.

OFFICE OF THE SECRETARY OF WISCONSIN TERRITORY,
Madison, February 9, 1848.

To the honorable the Legislative Assembly of Wisconsin Territory:

In compliance with law, I have the honor to submit my annual report as secretary of the territory for the year A. D. 1847.

The amount of money appropriated by congress by act approved August 10th, 1846, for the expenses of the legislative assembly of Wisconsin territory, was $13,700, which was received by me in January 1847, and disbursed in the payment of the expenses of a session of the legislature which terminated on the 11th day of February, A. D. 1847. My account for the disbursement of the whole of said appropriation has been settled and adjusted at the United States treasury department.

The amount of money appropriated by congress by act approved March 3d, 1847, for the expenses of the legislature was $13,700, which has been received by me and the sum of $5045,-21 expended in the payment of the expenses of a session of said legislative assembly, which terminated on the 27th day of October last. The balance of said appropriation is applicable to the payment of the expenses of the present session of the assembly. An account of disbusement of the expenses of the late October session has been rendered to the treasury department but has not yet been settled.

All of the sums included in the territorial appropriation acts, approved October 27, 1847, have been paid by me except the sum of six dollars to Isaac P. Walker, and six dollars to M. C. Darling for services as speaker and president. The United

States will not pay more than three dollars per day for extra services as speaker or president. The October session being a short one, the legislature allowed, by the said act, the full time to the speaker and president, and two days' in addition to the speaker and president pro tem, and omitted the usual clause in the act providing for the payment out of the territorial treasury, of any item that might be rejected by the United States. I respectfully recommend an amendment to the said act, so that the sums above mentioned may be paid, and any other item that may be disallowed by the treasury department

I enclose herewith an abstract of the returns of the school commissioners of the towns and counties in this territory, from which returns have been received for the year 1847.

Respectfully submitted,

JOHN CATLIN,

Secretary Wisconsin Territory.

ABSTRACT

Of the returns of the school commissioners of all the towns and counties in the territory of Wisconsin, for the year 1847, from which reports have been received at the office of the secretary of said territory.

COUNTIES.	TOWNS.	No. of districts organized.	No. of districts reported.	No. of scholars.		No. of teachers.		No. weeks school taught.		Amount of money raised for school purposes.			Amount of money paid for school purposes.		
				Male.	Female.	Male.	Female.	Male.	Female.	By tax.	By subscription.	Total.	Teaching.	Incidental expenses.	Total.
BROWN,	Depere,	1	1	41	48	1				$103 78	$	$	$	$	$ 103 78
CALUMET,	Manchester,	2	2	73	65	2	2	56	16	120 61			120 61		120 61
DANE,	Rutland,	2		31	30	1	3	9	32	51 26		51 26	61 00	25	61 25
	Greenfield,		5	72	36	1	1	13	16	16 15	2 00	18 15	56 00	18 25	74 25
	Cottage Grove,		1	123	119		2		32	84 58			20 00		20 00
	Sun Prairie,	16	15	254	228	6	14	72	202	121 61	348 89	470 50			470 50
	Verona,		1	43	37		2		29	70 00			44 00		44 00
	Oregon,	9		59	55					50 69		50 69			
	Rome,	3		18	21		1		12	127 00			12 00		12 00
	Christiana,	5		78	m&f	1		13		40 85			51 00		51 00
	Albion,	5		75	67	3	3	56	49				208 00		208 00
DODGE,	Hustisford,	7	7	83	59		5		41	17 47		17 47	45 00		45 00
	Lowell,	8	5	62	52	1	3	12	31½	50 00			66 87		66 87
	Williamstown,	3		54	50		1		13	40 00		40 00	13 00	30 00	43 00
	Beaver Dam,	7		106	105	1	6	8	84	150 00	4 00	154 00	147 62		147 62
	Rubicon,	5	1						8						
	Fairfield,	7	3	58	44		4		36				42 00		42 00
FOND DU LAC,	Oakfield,	6	6	82	84	1	3	17	48	125 00		125 00		10 00	125 00
	Taychedah,	2		21	20	1	1	13	13		52 00	52 00	52 00		52 00
JEFFERSON,	Lake Mills,	7		76	94	1	3	15	39	70 00			99 75		99 75
	Aztalan,	9	2	32	34	1	2	12	40				100 00		100 00
	Watertown,	13		157	162	3	1						225 59		225 59
	Hebron,	4		44	43	1	2	14	26	136 69			50 00	30 00	80 00
	Koshkonong,	11		161	186	7	8	120	106	484 13	46 00	530 13	506 13	24 00	530 13
	Waterloo,	5		73	78		4		60	200 00			82 00		82 00
	Palmyra,	7		90	82	5	4	69	56	298 50	60 00	358 50	358 50		358 50
MILWAUKEE,	Muskego,	7		147	130	3	4	24	36		12 75		135 00		135 00
	Greenfield,	14		301	260	10	6	146	788	507 10		507 10	507 10		507 10
	Franklin,	2	2	46	49	2	2	36	28	60 37	7 72	68 09	68 09		68 09
RACINE,	Paris,	11	9	180	150	9	5	109	74	350 00		350 00			350 00
	Yorkville,	8		146	109	7	10	87	138	126 00	*63 00	189 00	262 24		262 24
	Racine,	8	5	452	446	7	4	103	78	*1058 47	100 44	1158 91	1102 01	27 00	1129 01
	Caledonia,	8	4	115	104	4	4	62	65						248 00
	Bristol,	10		135	128	3	7	44	121	79 31	171 69				251 00
	Raymond,	8	8	135	110	5	6	60	81	150 00	56 00	206 00	287 49		287 49
ROCK,	Bradford,	4	3	67	45	1	3	12	58	141 50			141 50		141 50
	Avon,	4	4	61	57		3		39	35 07			39 00		39 00
	Rock,	5		54	62	4	2	53	24	150 00					190 00
	Union,	5		138	106	3	3	44	45	271 67	162 33	434 00	234 00	200 00	434 00
	Janesville,	14	11	375	361	9	12	138	171	19 50	7 58	27 08	732 37		732 37
	Center,	7		53	43	3	2	29	32	40 00	20 00	60 00	127 00		127 00
	Magnolia,	6	1	60	42		2		32	90 80	43 00	133 80	43 00		43 00
	Fulton,	10	7	114	82	2	8	13	112	193 54	56 43	219 97	173 50	27 00	200 50
	Johnstown,	7	5	126	122	4	4	117	107	209 00	2 88	211 88	222 50		222 50
	Porter,	6	4	104	100	1	4	8	69		124 00	124 00	124 00		124 00
	Turtle,	9	7	122	123	6	6	82	91	231 97	206 39	538 36	403 50	3 16	409 66
	Lima,	9	5	105	83	3	7	36	94				80 50		80 50
	Milton,	5		141	143	4	9	52	158	219 06		219 06	269 50		269 50
SAUK,	Sauk,	2	2	91	m&f										100 00
WAUKESHA,	Oconemowoc,	10													
	Genesee,	5	5	94	94	4	5	47	124	50 00	31 00	81 00	126 52	26 64	153 16
	Menomonee,	13	7	156	91	1	4	13	78	50 00		50 00			50 00
	Warren,	4		83	72	3	2	25	32	62 63			97 91		97 91
	New Berlin,	8		121	112	4	4	69	59	258 50			258 50		258 50
	Eagle,	6	5	97	68	4	1	54	43				176 00		176 00
	Pewaukee,	12	12	169	171	5	5	56	132½		337 50		337 50		337 50
	Vernon,			48	49	1	3	8	36		12 00		26 50		26 50
	Waukesha,	12		280	200	3	3	40	86	200 00	94 29	294 29	134 92		134 92
WASHINGTON,	Richfield,	11		72	54	1		2		100 00	26 90				
	Hartford,	5	5	84	70	1	4	12	43	34 83	50 55	66 88	75 88		75 88
	Fredonia,	4	4	57	67	1		60			36 00	36 00	36 00		36 00
	Grafton,	7		115	115	3	2	12	24	46 00		46 00	190 00	6 00	196 00
	West Bend,	7		54	42	1	1	12	30	62 52		62 52	72 00		72 00
	Jackson,	1		70	50	1	1	3	3	100 00		100 00			100 00
	Germantown,	6	5	176	15	6		73					211 00		211 00
	Mequon,	6		185	147	4	2		108	185 90		185 90	185 90		185 90
	Erin,	2		34	30	1	1	13	13	74 56		74 56	51 05		51 76
WALWORTH,	Delavan,	7		104	110	1	5	46	113	250 00	139 00	389 00	389 00		389 00
	Spring Prairie,	12		213	203	5	8	74	114				402 00		402 00
	Richmond,	8		64	50	3	4	27½	66				159 23		159 25
	East Troy,	3		64	70	1	3	24	59	39 74	114 26	184 00	184 00		184 00
	La Fayette,	7		151	142	5	9	55	130	200 00	122 76	322 76	322 76	53 34	376 10
	Sugar Creek,	6		66	63	2	4	22	67	100 00		100 00	81 00		150 00
	La Grange,	8		107	87	5	6	88	94	100 00		100 00	345 00		345 00
	Whitewater,	4		128	119	4	6	62	97	120 00	149 75	269 75	267 75		267 75
	Darien,	10	8	119	107			42	146				213 00		213 00
	Troy,	5	4	72	68	4	9	64	94	82 93	269 21	348 64	354 14		354 14
	Bloomfield,	13		126	116	4	6	47	84	147 36	133 29	280 55	259 75	21 00	280 75
	Walworth,	9		133	151	5	8	78	152	200 00		200 00	443 25		443 25
	Pleasant Prairie,	10	8	149	144	6	6	108	94	200 00		200 00	528 00		528 00
	Elkhorn,	1		71	50	2	1	22	20	20 25	11 60	31 85			31 85
	Geneva,	10		167	165	5	10	59	152	421 03	51 47	472 50	742 50		472 50
WINNEBAGO,	Rushford,	6		145	m&f										
		551	189	9000	7881	223	301	3072½	5674	$9,500 99	$3,156 68	$10,244 15	$13,817 43		$16,313 93

* Rent of school lands.

I, JOHN CATLIN, Secretary of Wisconsin Territory, do hereby certify that the foregoing is a true abstract of all the returns of the school commissioners of the towns and counties from which reports have been received for the year 1847.

JOHN CATLIN, Secretary Wisconsin Territory.

Madison, February 7th, 1848.

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REPORT

OF MR. TURNER ON SO MUCH OF THE GOVERNOR'S MESSAGE AS RELATES TO THE APPROPRIATION OF CONGRESS, TO DEFRAY THE EXPENSES OF THE LEGISLATIVE ASSEMBLY OF WISCONSIN.

The committee to whom was referred so much of the Governor's message as relates to the appropriation of Congress, to defray the expenses of the legislative assembly of Wisconsin, ask leave to

REPORT:

That they had have the subject referred to them under consideration, and by conferring with the Secretary of the Territory, have arrived at the following statement of facts.

The appropriation made by Congress, approved March 3, 1847, is stated to be $13,700 00.

And the amount already paid to defray the expenses of the October session to be $5,045 21, leaving a balance unexpended of $8,654 79, applicable to the payment of the present session of the legislative assembly. Which amount, upon a ratio of expenditures to compare with the extra session, would enable the present territorial legislature to continue this session for the term of about twenty-four days

Your committee have not considered it necessary to express any opinion on the subject of continuing the present session beyond that period, having regard to the subject submitted.

All of which is respectfully submitted.

JOSEPH TURNER,

Chairman.

ANNUAL REPORT

OF THE REGISTER AND RECEIVER OF CANAL LANDS.

To the Honorable the Legislative Assembly of the Territory of Wisconsin:

The uudersigned Register and Receiver of Canal lands, in pursuance of the requirements of section nine of the act approved February 24th, 1845, submit the following

REPORT:

1. That a public sale of the unsold lands in the canal tract, was commenced according to law on the 7th day of June 1847, at the Court-House in the city of Milwaukee, and was continued from day to day, until all such lands were sold or offered for sale, at the minimum price of one dollar and twenty five cents per acre, and all the lands sold were bid off at that price, except 120 acres, which were sold at one dollar and thirty-two cents per acre.

2. That the public sales were finally closed on the fifteenth day of October 1847; and that after that day and from that time till the making of this report, all the lands remaining unsold have been held open for *private entry* pursuant to law.

3. That since the commencement of public sales, there has been sold, in all, fifty-three thousand three hundred and thirty, thirty-three one-hundreths acres; and that there now remains unsold in said tract, fifteen thousand six hundred and eighty acres.

4. That the gross amount of monies paid to the Receiver on all of said sales, is..... ... $66,668 50

5. That in addition to the sums received on sales, there has been paid to the Receiver on mortgages held by the Territory for balances on sales made prior to the act of 1845, the sum of $15,617 70

6. That there was in the hands of the Receiver at the date of his last report, the sum of..... $2,525 12

Making, in all, ... $84,811 32

7. That of the above monies there has been paid out by us, for commissions and for expenses of rent, stationery, printing, circulating notices, transferring funds, &c., ... $2,634 52

Paid to John Anderson..... 14,489 35

Paid in full of Territorial Bond No. 31,..... 1,408 75

Deposited with the Treasurer of the Territory, 57,500 00

And there remains in the hands of the Receiver, the sum of 8,778 70

8. That there remains due and unpaid on the mortgages held by the Territory, about the sum of twelve thousand dollars; and it is recommended that a time be fixed for the payment of the same.

Dated, Milwaukee, February 15th, 1848,

WISCONSIN TERRITORY, }
Milwaukee County, ss. }

John White and David Merrill, Register and Receiver of Canal lands, being duly sworn, do, and each for himself does depose and say that the foregoing report to the legislative assembly of the Territory of Wisconsin, is in all respects correct and true, to the best of their knowledge, information and belief.

JOHN WHITE, *Register.*
DAVID MERRILL, *Receiver.*

Subscribed and sworn to this 19th day of February, A. D. 1848, before me }

LEVI HUBBELL,
Notary Public, Milwaukee county.

COMMUNICATION

FROM THE CITIZENS OF MILWAUKEE, RELATIVE TO THE MILWAUKEE AND ROCK RIVER CANAL GRANT.

MADISON, March 3, 1848.

Hon. H. N. WELLS,

President of the Council:

SIR: A numerous meeting of the citizens of Milwaukee was held on the 29th of last month, pursuant to public notice, to take into consideration the claims of the Milwaukee and Rock river canal company, now pending before the legislative assembly.

At that meeting, the undersigned was appointed a committee to place the proceedings before the legislature, and we herewith enclose a copy of the same, with a request that you present it to the body over which you preside.

Very respectfully yours,

WILLIAM A. PRENTISS,
ALANSON SWEET.

PUBLIC MEETING.

At an adjourned meeting of the citizens of Milwaukee, for the further consideration of the claims of the Milwaukee and Rock river canal company, WM. A. PRENTISS in the chair, called the meeting to order. Chas. P. Helfenstein and J. A. Messinger acted as Secretaries.

The committee appointed at the last meeting being called on, submitted their reports, which were accepted, and the committee discharged.

The following resolutions, as reported by the committee, were

then taken up for discussion, and, after an able and interesting debate between Messrs. ARNOLD, opposing, and HUBBELL and SWEET sustaining, were adopted.

Resolved, That we have learned with equal surprise and regret, that a committee of the House of Representatives of this Territory has recommended the payment, by the Territory, out of the proceeds of sales of the canal lands, of a large claim, of the Milwaukee and Rock river canal company.

Resolved. That we are not informed of any *legal demand* which this canal company has, either against the territory of Wisconsin, or the monies arising from sales of the canal lands; and we deem it extraordinary, that the committee, in reporting in favor of paying such claim, should not have enlightened their constituents as to its amount, the manner in which it accrued, and the items of which it is composed.

Resolved, That the Milwaukee and Rock river canal company by its omission to comply with the express and well-known conditions of its charter, *lost and forfeited*, on the 8th day of January last, all corporate right to construct any part or parcel of the canal, authorized by said charter, and not completed prior to that day.

Resolved, That the Milwaukee and Rock river canal company, by its failure to complete the line of canal, specified in the act of congress of 18th June, 1838, has *lost and forfeited* all claim to any portion of the lands granted to the territory, in and by said act; and the proceeds of all sales of said lands, heretofore made by the territory, are, by the terms and conditions of the grant, to revert to the United States.

Resolved, That the idea held out by interested individuals, that the future State of Wisconsin can be in any event held liable to the canal company for the proceeds of sales of the canal lands, is a *humbug*; that the act of Congress provides, that in the event of the non-completion of the canal in ten years, "the United States shall be entitled to receive" the proceeds of all sales previously made; and the same act declares that upon the happening of the same event, "the State of Wisconsin shall be held responsible to the United States for the amount of all monies received upon the sale of the whole or any part of said land, at not less than two dollars and fifty cents per acre.

Resolved, That while the territory and state of Wisconsin stand legally bound to return to the United States the entire proceeds of these lands, in consequence of the failure to fulfil the conditions of the grant, it would be unjust towards the General Government, and illegal and oppressive upon the people of Wisconsin, to apply such proceeds to pay the debts of individuals who embarked in the construction of a valuable water-power.

Resolved, That in our opinion, the general government of the United States may withhold from the state of Wisconsin, such portion of the donation of 500,000 acres as the territory may have sold out of the canal lands; and that inasmuch as this 500,000 acres is, by the constitution, to be solemnly appropriated to the SCHOOL FUND of the state, the people of Wisconsin must hereafter raise by tax, whatever deficit in the "school fund" is produced by drafts upon the "canal fund."

Resolved, That we call upon the hon. member of the council, and the three members of the house of representatives from this county, to oppose any and every bill providing for the payment to the Milwaukee and Rock river canal company, of any portion of the proceeds of sales of canal lands, or for the assumption by the territory of the debts of said company, or the transfer to the territory of the canal property at Milwaukee.

Resolved, That the only just and proper course for the legislative assembly is, to leave the whole matter to the future state of Wisconsin, which has the exclusive right to purchase the canal and canal property, and which will doubtless do justice to all parties concerned in it; but that in case the present legislature shall determine to do anything on the subject, we recommend to them to provide by law for a sale of the canal and water-power at Milwaukee, at public action, and for the payment of the proceeds to the territory and the canal company, in proportion as each has contributed to the actual construction of the work.

LEVI HUBBELL,
ELIPHALET CRAMER,
WM. P. LYNDE,
} Com.

The following report on "facts embraced in the call of the meeting," as submitted by the committee, was then taken up and adopted.

The committee appointed by the meeting at the common council room on Monday evening to report a statement of facts in regard to the objects of said meeting—respectfully

REPORT:

That they find that by an act passed on the 8th of January 1838, the Milwaukee and Rock river canal company was incorporated, with the usual corporate powers, and with authority to construct and maintain a navigable canal or slack-water navigation, from the town of Milwaukee to Rock river.

That by the 22nd section of the act it is provided and declared as follows: "And the right to construct so much of said works, which are by this act authorized, as shall *not be completed within ten years* from the passage of this act, *shall be forfeited by said corporation.*"

That by the 23rd section of said act, it is provided as follows: "That the future State of Wisconsin, at any time after its admission into the Union, shall have the right to purchase and hold for the use of the State, the canal herein authorized to be constructed, together with all its branches and other improvements, by paying to the said corporation the amount actually expended in the construction and repairs of the same, together with interest, not more than seven per cent per annum."

That by the 25th section of said act, it is provided, as follows: "That nothing herein contained shall authorize said company to take or use more water from any stream or fountain, than shall be actually necessary for the economical navigation of said canal, unless they shall have obtained the right to use an excess of water, over and above the quantity required for navigation from every person or persons, corporation or corporations, lawfully claiming the same."

The committee further find, that by an act of congress, passed June 18th 1838, a grant of land was made to the territory of Wisconsin, "for the purpose of aiding in opening a canal, to unite the waters of Lake Michigan, at Milwaukee, with those of Rock river," within certain points designated; and that by said act, it was declared and provided: "That said main canal shall be commenced within three years, and completed within

ten years, or the United States shall be entitled to receive the amount for which any of said land may have been previously sold; and that the title to purchasers under the territory, shall be valid."

The committee further find that there has been constructed a section at the eastern end of the line, of about one mile, and also, a dam across Milwaukee river; which works are now used solely for the purpose of a water power, under the control and management of the "Milwaukee and Rock river canal company," or of the "Milwaukee Manufacturing and Hydraulic Company," but which of the two, your committee are not able to determine.

The committee further find that the "Milwaukee Manufacturing and Hydraulic company" was chartered by an act of the Legislature approved March 11, 1839, which company, your committee are informed, was duly organized by Byron Kilbourn, Jonathan E. Arnold, George Reed and others; and owned or claimed to own important hydraulic interests, in and about the location of the present dam on Milwaukee river, and expended some $2000 on said location, under the direction of said Reed: that after such expenditure, a compromise or arrangement was made between the parties concerned in these two conflicting interests, but which party obtained the ascendency, or who is now the absolute owner of the hydraulic privileges connected with this location, your committee have not been able to ascertain.

Your committee further find, that for the construction of the present dam on Milwaukee river, the territory has recently paid to John Anderson, $14,487, in addition to $2000 paid on his original contract, and a bonus or donation of a preferred right to the perpetual use of water from the canal for driving *four run* of stones, free of rents. That at the dry seasons of the year, the canal does not furnish water sufficient to drive more than one to three run of stones, over and above the preferred rights of Mr. Anderson. And, in the opinion of the committee, the whole canal property, deducting Mr. Anderson's rights, would not sell for a sum exceeding $15,000.

The committee further report that they are informed that the canal company are now applying to the legislative assembly, for a payment, out of the proceeds of sales of the canal lands, of a large claim, the precise amount or items of which the commit-

we have not ascertained, but which they are informed, amounts with interest to over $50,000. And, in consideration of this payment, the canal company proposes to surrender and convey to the territory, all its corporate rights and privileges and its canal property

These are the facts, in relation to this case as far as the committee has been able to ascertain them. They have drawn from them the following conclusions which they beg leave to submit, as a part of their report.

1st. That the Milwaukee and Rock river canal company, by its failure to complete the canal by the 5th day of January 1848, has lost and forfeited all right or corporate power to construct any part of the unfinished portion of the canal.

2d. That by the failure of the canal company to complete the main line of the canal by the 15th of June 1848, the proceeds of all sales of the canal lands, will revert by the terms of the grant, to the United States.

3d. That inasmuch as it is now morally certain the canal will not be completed, in compliance with the act of Congress, and that the proceeds of the canal lands, will revert to the United States, neither the canal company nor the territory of Wisconsin has now the right to dispose of any part of the canal fund for the construction of the canal, or in payment of debts incurred for that purpose: and thus to burden the people of the territory and state, with unnecessary debt.

4th. That the state of Wisconsin has the unconditional right to purchase the canal and all its branches and improvements; and consequently that the company cannot legally dispose of it to any other person or body corporate; and the territory of Wisconsin cannot legally buy it

5th. That we know of no authority or right on the part of the territorial legislature, to make a purchase of the canal company's property and encumber the people with a debt for that purpose. That, if the territory purchases, for its own use, it will soon cease to exist or to have the power to hold it, and if it shall purchase for the future State, it does not know that the State will elect to exercise its right of purchasing; and it would be wrong, to attempt to forestal the independent action of the State, and impose on it a burden it may not choose to take

6th. That there is great reason for inquiry whether the canal company has any thing valuable to surrender or dispose of.—The power to go on with the work is forfeited: the right to use any more water than shall be actually necessary for the purpose of navigation, is expressly prohibited by the 25th section of its charter, unless obtained by private grant or purchase: and it does not appear that the company has so obtained the right to use the waters of Milwaukee river: and that it seems worthy of question, whether the "Milwaukee Manufactory and Hydraulic company" have not now, in the possession of their officers or assigns, the actual right of daming and using the waters of that river, as originally held by them and secured by their charter.

7th. That finally the facts of the case do not show the propriety or necessity of any action by the territorial legislature, on the subject: inasmuch as the legislature of the State will soon be in session, with full power to purchase the canal property and to do justice to all the parties interested.

ALANSON SWEET,
LEVI HUBBELL.

It was further ordered, on motion of James Kneeland, that a committee of three be chosen, to go to Madison and place the proceedings of this meeting before the legislature. The following persons were chosen: Wm. A. Prentiss, A. Sweet, and L. Hubbell.

It was further resolved that the proceedings of this meeting be published in the city papers.

On motion, the meeting adjourned.

WM. A. PRENTISS, Ch'n.

CHAS. P. HELFENSTEIN,
J. A. MESSINGER, } Sec'ys.

COMMUNICATION

FROM BYRON KILBOURN.

To the Hon. President of the Council:

SIR:—I this day heard read in the council a paper purporting to be a report made to, and resolutions adopted by a meeting of citizens in Milwaukee, adverse to a settlement of the questions long pending between the territory and canal company, and which it has been proposed to adjust on fair and equitable principles at the present session. Believing that the interest of the public as well as that of the canal company would be consulted by such a settlement, I beg the indulgence of the hon. council to enable me to present the following short rejoinder to the views set forth in said report and resolutions.

The main burden and purport of said report and resolutions appears to be that the *territorial* legislature ought not to settle the matters growing out of the connection between it and the company, and that the subject ought to be transferred to the *state* legislature; that if it were settled now, it would impose an indebtedness on the state of a large amount—that it would abstract a considerable part of the school fund from its appropriate object—that it would involve the necessity of raising money by taxation from the people of the state of Wisconsin to discharge liabilities thus incurred and to make up deficiencies thus produced, &c.

If such would be the result of a present settlement, then certainly it ought not to be entertained by the present legislature; but if exactly opposite results would follow from such a settlement, then to entertain it would seem to be a duty devolving on the legislature which could not be properly discharged without due investigation. The several members of the present legislative assembly it is believed have given such attention to this subject as its importance demands, and are as capable of forming just opinions in relation to it, as are the patriotic gentlemen

in Milwaukee who have headed this movement and presented to their fellow citizens a deceptive and erroneous view of the subject at issue.

I have a high respect for the intelligence of the people of Milwaukee, but I cannot believe members are well aware how complicated and difficult the subject has become by years of legislation, and how much of careful investigation it requires of them to arrive at just conclusions in regard to its merits, even with the aid of the public library and all the public documents at their hands, and how much more so it must be to those whose attention has not been particularly called to the subject, and who are without the means of such investigation. The case embraces many abstruse legal points, on which even lawyers differ with all the light before them. Is it supposable then, that an assemblage of citizens composed even as the Milwaukee meeting undoubtedly was of honorable and right minded men, could without having carefully studied the subject, be duly prepared to express definite and authoritative opinions as to what effect on the public welfare any given disposition of the subject might have.

This is a question, the settlement or non-settlement of which cannot affect peculiarly the interests of Milwaukee, but must in equal degree affect any part of the state. It is in no sense a local question, as any liabilities or benefits growing out of it affecting the state must affect every part of it alike. Hence the necessity of discarding local feelings and local views in its consideration, which may have been palmed upon the meeting under a specious garb and fair pretences by designing men and for sinister purposes. Such, it is believed were the pretences and purposes of the prime movers and author of the report and resolutions, as presented to the meeting.

Instead of the conclusions arrived at in the report and resolutions so presented, (which are at variance with all the reports submitted by the majority and minority of the house committee, and by the attorney general, all of whom have certainly given great attention to the subject, and have no motive to come to any but just and fair conclusions,) it seems to me that the real state of the case fully justifies and sustains the following positions:

1st. That settling with the company at this time and paying

their claim out of the canal fund or out of the proceeds of a sale of the canal, cannot impose any indebtedness on the state; for the territory is expressly authorized to make this disposition of the fund without reference to what may be the future action of the state in regard to the grant.

2nd. No liability can in any event attach to the state in connection with this specific grant, unless the state legislature shall by express enactment accept of the grant. The state cannot in any form be made liable under the act of Congress for monies paid out for the purposes of the canal unless it actually accept of the grant, and thus assumes a voluntary liability.

3rd. The state is liable for all monies borrowed from whatever source and applied in payment of expenses or debts which if not so paid would be valid demands against the state government, and the circumstance of such monies being borrowed from the canal fund cannot vary the principle. It is a well established maxim of national law that the debts of a people are obligatory upon the government of that people, whatever be its form, or whatever changes it may undergo. It may change from absolute to liberal, from monarchical to republican, from colonial to sovereign, the obligation remains the same under all changes.

4th. If the state legislature should accept of the canal grant the land so accepted would from that moment become a state grant which under the operation of the act of 1842, would be deducted from the 500,000 acres due this state upon its admission. Such an acceptance would produce the very results deprecated by the report and resolutions submitted, by withdrawing from the school fund some 130 000 acres of land which deficiencies under the constitution, (if adopted) would stand as so much indebtedness of the state to that fund; involving as a consequence the absolute necessity of raising by taxation and paying over the value thereof to that fund, in order to comply with the requirements of the constitution in relation thereto.

5th. Such being the necessary results of an acceptance of the grant by the state it is obviously the true policy of the state not to accept of it.

6th. If however the state do not accept the grant it cannot in any manner avail itself of the funds arising from the sale of the

lands. If it do not own the land how can it become the owner of the money arising from its sale? The state must choose its course. It must either accept of the land, subject to all its liabilities, or it must stand indebted for the amount which has been received and paid for its benefit. The debt being *bona fide* and contracted in good faith, the honor and integrity of the state stand bound to repay it unless cancelled and discharged by consent of the parties interested.

7th. A present settlement of the canal question being made by the territory would place the general government in the attitude of sole creditor, who would never demand the debt but would relinquish it on due application; but if not so made, the state will remain as it now is, indebted to the canal fund involving the rights of third parties to which its faith stands pledged for repayment of the amount received for its benefit.

8th To sum up in a few words. A settlement cannot by possibility add anything to the present indebtedness of the state, but will place it in a position to be relieved from present liabilities; while a non-settlement will leave all present liabilities resting upon it, and keep open all the difficult questions which have so long annoyed the legislature, without producing any beneficial results.

As to the expediency of closing the matter now, if it can be done on reasonable and fair terms, there does not seem to be room for a difference of opinion. The legislation on this subject for ten years past, it may be safely assumed, has cost more than the whole amount of the company's claim; and interest on this claim has been accruing at the rate of some $1,500 per year, while the territory has not so managed the canal fund as to be in the receipt of any interest monies wherewith to pay this accumulation. By settling this matter some years ago when it could have been done as well as now, this item would have been a clear saving to the fund and to the territory. If the course recommended by the report and the resolutions should be adopted, and the subject be deferred as in times past, the expenses of legislation will still be continued, which hereafter will be drawn from the tax payers of the state, instead of the coffers of the United States, and an accumulating debt will be continued which sooner or later will have to be liquidated in some shape, unless

the state should deliberately violate her just obligations by an exercise of her sovereign power, which it is fairly presumed she will never under any circumstances resort to, and which every good citizen would deprecate and disapprove.

It has been fashionable in times past for certain politicians at Milwaukee to slander the canal company, and accuse them of wrong doing, and by industrious efforts they have impressed on the mind of the community a belief that there was truth in these declarations, and thereby infused into the public mind a prejudice against them which has been detrimental to them, and which may have had its influence on the legislature to an extent which has operated to their serious damage. But no one has ever attempted to charge or sustain a charge showing any specific act of improper conduct on the part of the company, unless it were improper that they did make an effort in the strong hope of success, to accomplish a great and important work, and one which if it had been successful, would have been of great and lasting benefit to Wisconsin. It is sincerely to be hoped, and the confident trust is entertained, that no misrepresentation will be permitted to prejudice the rights of the company in the matter now pending before the hon. legislature, although the disparity between the parties is so great, and the dependence of the company on your favorable action is so apparent.

Respectfully submitted,

BYRON KILBOURN,

Pres. Mil. and Rock River Canal Co.

Madison, March 4th, 1848.

P. S. Since writing the foregoing, I have received from Milwaukee a letter from which I extract the following relative to the meeting, which indicates the "great feeling" existing there on this subject. The writer says: "At 11 o'clock, precisely, the question was taken on the adoption of the resolutions. About a dozen persons voted in the affirmative, and about as many in the negative, and they were declared carried. The number of persons in attendance during the meeting was about sixty. When the vote was taken there were precisely fifty-three (53) individuals in the room; many of these were attracted there by curiosity, to learn something about the matter, and

did not vote either way. Those who voted in the affirmative were principally from the Point and came up with Sweet.—What I have stated as to the numbers in attendance is literally true, and Sweet, Hubbell, & Co. would not contradict it. At no time from 8 o'clock till 11, were there 70 persons present," &c.

It must be admitted that this meeting was rather a slim show in a place like Milwaukee, where large meetings are so easily convened on all important occasions; and especially so when it is considered that this was an "adjourned meeting," or in other words, the *second time trying*, by the worthy leaders of it. It must be that the motives of these same leaders were suspected by the people to be governed by something other than the pure promptings of patriotism.

BYRON KILBOURN.

ANNUAL REPORT

OF THE TREASURER OF THE TERRITORY.

TREASURER'S OFFICE,
Madison, Feb'y 25, 1848.

To the Honorable, the Council and House of Representatives of the Territory of Wisconsin:

The undersigned, treasurer of the territory, respectfully

REPORTS:

That since my last annual report was sumitted to the legislative assembly, there has been paid into the territorial treasury, from the several counties, on account of revenue, the following sums, to wit:

From the county of	Iowa,	$ 906 11
"	Sheboyban,	204 63
"	Grant,	1,942 96
"	Walworth,	1,453 40
"	Green,	1,031 63
"	Jefferson,	490 17
"	Winnebago,	62 23
"	Milwaukee,	712 29
"	Washington,	592 19
"	Waukesha,	832 91
"	Racine,	1,438 24
"	Brown,	435 53
"	Sauk,	89 44
"	Calumet,	89 11
"	Columbia,	309 68
"	Dane,	516 85
"	Rock,	2,643 19
"	Fond du Lac,	677 50
"	Marquette,	243 05
Total,		$14.671 11

Amount brought over,.....	$14,671	11
I have also received from David Merrill, Esq, receiver of canal lands, on account of the sales of said lands, the sum of.....	$57,500	00
To these sums add balance remaining in treasury on settlement with legislature, as reported by committee, February 11th, 1847,.....	23	67
Making a sum total of.....	$72,194	78
In pursuance of law, I have deposited with the auditor, scrip and warrants, which were cancelled by him and passed to my credit, to the amount of	11,398	30
Which deducted leaves remaining,.....	$60,796	48
Of this sum I have disbursed in payment of the expenses of the late convention, and the unpaid balance of the expenses of the former convention, and in redemption of bonds, scrip, and auditor's warrants,.....	$41,116	34
Which deducted leaves a balance of cash in the treasury of.....	$19,680	14

The above amount is at any and all times subject to be inspected, counted, and cancelled, in such manner as the legislature shall direct.

By an act approved February 2d, 1845, there is appropriated to the county of Dane the sum of two thousand, two hundred and sixteen dollars, to be paid out of the territorial treasury in the manner provided in said act. The revenue of said county for the year 1845 and 1846, was applied in part payment, and subsequently the remainder, amounting to eight hundred seventy-two dollars and seventy-seven cents, has been paid, and the appropriation fully cancelled.

By an act approved February 11th, 1847, there was appropriated to the treasurer of the territory, the sum of $312,00 for the purchase of a safe, which has been expended by me, and a safe procured, suitable for the use of this office. The sum appropriated was not sufficient to fully pay the price of the article purchased, and transport the same to this place. A bill

of the purchase and expense, will be presented, and an appropriation requested for the unpaid balance due upon the same.

The proposition may be asserted with a reasonable probability of truth, that there no longer exists a debt against the territory. The trifling demands of late against the treasury render it quite certain that all the remaining items of old indebtedness have found their way into the several county treasuries, and will all be transferred to the territoiy in payment of revenue now due from the same.

The amount of canal fund received into the treasury

in 1846 was				$35 257,86
do	do	do	1847,	57,500,00
Making in all the sum of				$92,757,86

The total amount paid on the expenses of the two conventions which have been holden, is forty-seven thousand, six hundred sixty-three dollars, and forty-nine cents.

All of which is respectfully submitted,

JONATHAN LARKIN,
Territorial Treasurer.

REPORT

OF THE COMMITTEE ON THE MILITIA.

The committee on the militia, to whom was referred so much of the Governor's message as relates to the Mexican war, beg leave to submit the following

REPORT:

The committee fully concur with the Governor, in his opinions expressed in his message, "that by the act of the republic of Mexico, a state of war existed on the 13th of May, 1846, between that government and the United States, and that it became the duty of the President of the United States, under the constitution and laws, to prosecute the war with all the means placed under his control by congress; and that the president, in the firm discharge of the high duties that have devolved upon him, in the prosecution of the Mexican war, is entitled to the thanks of every American, and the lasting gratitude of the country.

The committee are clearly of the opinion that the following propositions in relation to the war, are true and easily demonstrable.

1st. That it was forced upon the government of the United States by the wanton and unjustifiable act of Mexico, in shedding American blood upon American soil.

2d. That on the part of the American government, it is a just and an honorable war.

3d. That it has been honorably, vigorously, and gloriously prosecuted by the American government.

4th. That it ought to be vigorously prosecuted until a peace is obtained, and such a peace as shall guarantee indemnity for our past injuries and security for our future rights.

In support of the first proposition, as above laid down, your committee are fully satisfied, from the facts they have been enabled to bring to their aid, in the investigation of the subject matter committed to their care, that the annexation of Texas was the principal ground of offence to Mexico, that generated in her a spirit of hostility and war towards the government of the United States; for immediately upon the passage of the joint resolutions by congress, providing for the annexation of Texas, on the 1st of March, 1845, we see the Mexican minister, Almonte, throw down his diplomatic authority, demand his passport, and withdraw from our country. From this and subsequent acts of a like nature, it is clear to the minds of your committee, that the annexation of Texas was the incentive with Mexico, which led her to the commission of acts of hostility towards the government of the United States. Without being called on to discuss the merits of the act of annexation, your committee would simply state, that that act was the act of congress, and was a just, a wise, a constitutional act, and in advance sanctioned by the will of the people of the United States, and ratified by the people of a free and sovereign republic, holding rightful dominion from the Sabine west to the Rio Grande. It further follows immediately after the annexation of Texas, through the hostile and aggressive spirit of Mexico, that her armies are ordered to take possession not only of that portion of Texas lying between the Nueces and the Rio Grande, (which in some of the issues for negotiation had been called disputed,) but also all the territory of Texas up to the Sabine.

Meanwhile this state of things did exist, large armed forces of Mexican soldiery were gathering in and about Metamoras, numbering from eight to twelve thousand strong, in smaller divisions, crossing the river east into the territory of the United States, and committing depredations thereon by destroying the property and lives of her citizens.

Not until acquainted of these facts, and fully impressed with the imposing and threatning attitude of the Mexican forces, did congress declare, on the 12th of May, 1846, that by the act of the republic of Mexico, a state of war existed between that government and the United States. This act, declaring the war to

exist by the act of Mexico herself, passed both houses of congress. numbering near three hundred on joint ballot, with only sixteen dissenting votes inclusive, at the same time making ample provisions for its prosecution to a speedy, honorable, and successful termination.

Nor was this act passed by congress until the news had reached our capital of the murder of Cross and Turner, and the capture of Thornton and his party, on the 24th of April, 1846, and that General Arista had likewise on that day, officially notified General Taylor that hostilities had commenced.

From the foregoing facts in the case, your committee are led to the inevitable conclusion, that the mind must indeed be skeptical that longer doubts the correctness of the 2d proposition as above laid down, to wit: "That it is on the part of the American government a just and an honorable war."

Passing over the innumerable petty acts of injustice and bad faith, which the United States, in a spirit of forbearance, has been pleased to pass almost unobserved, towards her sister republic, we find her at length (by the more threatning and daring insolence of her neighbor) thrown upon the alternative of choosing between war and dishonor. To have refused to accept of the former, would have made her responsible to foreign envy for the disgrace she had entailed upon her posterity. To have submissively acquiesced in the latter, would have robed in mourning the very goddess of liberty and forced her to resign the guardianship of that people whose institutions had "redeemed the name and dignified the nature of man."

Not to know that the war has been vigorously and honorably prosecuted, is equivalent to not knowing that such a war ever existed.

The history of the world for the last ten centuries does not present so grand a spectacle for national congratulation, as does the story of the American army, commencing at Palo Alto, and ending with the conquest of the city of the Montezumas. That small band, without discipline, entered a hostile country, opposed by an organized army of more than five times their number, and harassed by guerillas from every fortress, carrying the olive branch in one hand and the sword in the other, imploring peace but demanding justice, and without a single reverse, have

conquered and possessed the capital and resources of the enemies' country.

Your committee by no forced constraint are led to believe that a single glance at the history of the war as above referred to, is quite sufficient to convince the most incredulous minds that the present war with Mexico has, on the part of the United States, been honorably and vigorously prosecuted, and that too, with a spirit of moderation and magnanimity, that has given "new grace to victories."

Your committee fully concur in the opinion that it is the duty of the government of the United States, to hold all the territory she has conquered, and all the treasure she has taken in the war with Mexico, (and conquer further and take more if more be required,) until otherwise indemnified for the injuries she has endured, and the losses she has sustained. In this opinion your committee are sustained by the well founded and well established principles of national law, and are further of the opinion that the United States should demand of Mexico a guaranty for the faithful observance of her rights in future.

Therefore, by the present legislative assembly of the territory of Wisconsin, be it

Resolved, That the existing war was provoked and brought on by the aggressive acts of Mexico, and that it was the duty of the president to prosecute it with vigor until the invaded rights of the United States were acknowledged and redressed by Mexico.

Resolved, That the war ought to be prosecuted with all the disposable force of the nation, until an honorable peace can be concluded with Mexico, which will guaranty indemnity for the past and security for the future.

REPORT

OF THE AUDITOR OF THE TERRITORY.

AUDITOR'S OFFICE, W. T.,
Madison, February 8, 1848.

To the honorable the Legislative Assembly of the Territory of Wisconsin:

In conformity with the law of the territory, I herewith submit my third annual report to your honorable body.

Certified statements of the amounts of the assessment rolls, quantity of land taxed, &c., have been received from the different counties in the territory, an abstract of which is hereto annexed, from which the following will appear.

Aggregate No. of acres of land assessed 3,464,797.79

Assessed value of such lands and of town and out lots, ...	$10,568,495	56
Assessed value of improvements, ...	2,144,254	10
Assessed value of merchandize and stock in incorporated companies, ...	422,515	60
Assessed value of personal property exclusive of merchandise, ...	890,306	48
Amount total of assessment, ...	$14,025,631	24

Yielding a revenue to the Territory, of sixteen thousand four hundred ninety-three dollars and sixty-two cents, for the current year of 1847.

Since the last annual report of the Auditor, the following warrants, amounting in the aggregate, to thirty-eight thousand five hundred and twenty-six dollars and seventy-eight cents, have been drawn upon the Treasurer of the Territory, in obedience to the various laws authorizing their issue.

STATEMENT

Of the warrants drawn upon the Treasurer of the Territory.

No. War.	To whom issued.	For what given.	Amount.	Date of issue.
353, 354	E. V. Whiton,	Division of warrant No. 307, cancelled,		Dec. 15, 1846.
356	D. Wells, jr.,	Fees as sheriff in territorial suits,	$ 12 20	Jan. 14, 1847.
357	Iowa county,	Appropriation made to J. F. O'Neil,	250 00	" 16,
358	N. Goodell,	Transporting arms from Green Bay,	13 03	" 18,
359	N. W. Kendall,	Account rendered for boarding criminals in Grant co. jail,	305 46	" 21,
360 to 372	W. R. Smith,	Appropriation for printing military general orders,	150 35	" 27,
373 to 409	Vial & Varney,	Plastering capitol,	225 00	Feb. 4,
410 to 412	W. R. Smith,	Appropriation to meet printing expenses,	75 00	" 5,
412 to 425	L. Judson,	Appropriation for maps furnished the territory in 1838,	978 00	" 5,
426	W. W. Kellogg,	Taking testimony in territorial suits,	15 00	" 9,
427	Edward Bliss,	Publishing proclamations,	22 00	" 11,
428	Bunner & Stafford,	do do	24 00	" "
429	Wilson & King,	do do	24 00	" "
430	T. M. Fullerton,	Writing done for the legislature,	39 00	" "
431	E. S. Turner,	do do	39 00	" "
432	Henning & Hooker,	Newspapers furnished members,	9 36	" "
433	Supt Territorial Property,	Payment in part of appropriation of Feb. 11, 1847,	50 00	" "

STATEMENT—(*Continued.*)

No. War.	To whom issued.	For what given.	Amount.	Date of issue.
434	Wm. Pyncheon,	Making stove hearths,	5 00	Feb. 12, 1847.
435 to 446	Alexander Botkin,	Extra compensation as auditor,	158 00	" "
447	R. T. Davis,	Appropriation for timber furnished capitol,	12 10	" 13,
448	J. T. Wilson,	Lamp pulleys and repairing seal press,	9 00	" "
449	A. A. Bird,	Work done on capitol,	5 00	" "
450	W. H. Clement,	Serving subpœna in territorial suits,	10 51	" "
451	Beriah Brown,	Publishing proclamations,	24 00	" 15,
452	Henry C. Parker,	Repairs on capitol,	9 00	" "
453	W. H. Foot,	Hauling stationery from Milwaukee,	5 00	" 16,
454 to 466	S. M. Van Bergen,	Balance due for wood furnished capitol,	165 00	
466	Albin Blood,	Making and putting up ladder to dome,	8 00	" 17,
467, 468	I. W. Bird,	Fees as sheriff attending supreme court,	100 00	" "
469 to 482	E. B. Dean, jr.	Carpeting, &c. furnished capitol,	1018 18	
483	G. A. Carey,	Repairing gates to capitol yard,	18 50	" "
484, 485	W. W. Wyman,	Printing proclamations,	24 00	" "
486 to 488	Levi Booth,	Work done about the capitol,	150 00	" "
489	J. S. Fillmore,	Newspapsrs furnished legislature,	16 09	" "
490	C. P. Helfenstein,	Plank furnished for capitol,	57 40	" "
491	E. A. Stoddard,	Publishing proclamations,	15 90	" 20,
492	J. Hopkins,	Putting up railing and lamps in the capitol,	2 00	" "

493	Darwin Clark,	Work done in repairing capitol,	5 00	"	"
494	J. A. Arnold,	Carpeting furnished capitol,	289 10	"	25,
495	D. H. Wright,	Labor done about the capitol,	5 63	"	26,
496 to 508	Simeon Mills,	Appropriation for printing,	2309 29	March	5,
509	Simeon Mills,	" "	12 25	"	"
510 to 514	Sup. Territorial Property,	" repairs on capitol,	200		
515	George M. Oakley,	Labor done about the capitol,	2 00	"	"
516, 517	James Morrison,	Interest on bonds surrendered,	106 08	"	8,
518	R. H. Deming,	" " "	32	"	"
519	Isaac J. Ulman,	Interest on territorial bond,	10 80		
520	John Catlin,	Appropriation made for an account paid the secretary and disallowed by the U. S. Treasury Department,	76 50	"	"
521	S. L. Rood,	Binding books for territorial library,	94 76	"	9,
522 to 527	Sup. Territorial Property,	Part payment of appropriation to meet expenses in repairing capitol,	210	"	10,
529 to 542	N F. Hyer,	Locating university lands,	300	"	"
543 to 547	George Collier,	In full of bond No. 31, surrendered,		"	15,
		Warrants drawing interest at 12 per cent.	2455 89		
548 to 560	George Collier,	Interest on said bonds,	1278 79	"	"
561	L. Guild,	Publishing proclamation,	21	"	"
562	J. A. Butts,	" "	21	"	19,
563 to 585	J. C. Fairchild,	Principal and interest on bonds Nos. 7, 11, 29, 30, 59, 98, 99, and blank, surrendered,	1000 60	"	"
586 to 587	Treasurer Dane County,	Appropriation to Dane county,	2216	"	31,
588	A. Hyatt Smith,	Salary as attorney general,	64 77	April	4,
589	George Beatty,	Interest on bonds surrendered,	50 58	"	18,

STATMENT—*(Continued.)*

No. War.	To whom issued.	For what given.	Amount.	Date of issue.
590	W. T. Henry,	Copying reports of Mineral Point bank,	$31 87	April 18, 1847.
591 to 597	David Noggle,	Interest on bonds surrendered,	161 75	" "
598.	L. F. Kellogg,	Expenses in going to Milwaukee, and cash paid for binding constitution,	15 25	" 22,
599	Alden & Tompkins,	Publishing governor's proclamations,	17 60	" 30.
600	Alexander Mitchel,	Interest on bonds surrendered,	82 92	May 1,
600 to 604	Sup. Territorial Property,	In part of appropriation to meet certain expenses in repairs on capitol,	240 00	June 1,
605, 606	J. G. Knapp,	For expenses of library clerk,	87 00	" "
607	J. H. Knowlton,	Services as attorney in territorial suits,	75 00	" "
609	C. D. Robinson,	Publishing proclamations,	20 80	" "
610 to 621	Simeon Mills,	Balance of appropriation for printing remaining unpaid by the secretary,	590 71	" 4,
622	H. Luddington,	Interest on bonds surrendered,	31 50	" "
623 to 632	Simeon Mills,	In division of warrant No. 496, cancelled,		
633, 634	Jonathan Larkin,	Extra services as territorial treasurer,	380 00	" "
635, 636	William R. Smith,	Quarter's salary as adjutant general,	37 50	" 5,
637	Edward Elderkin,	Interest on bonds surrendered,	53 75	" 24,
638	Harrison Luddington,	" " "	58 48	" "
639	Harrison Reed,	Appropriation for printing,	54 51	" 29,

640	Foster & Stephenson,	Account allowed for supplies furnished persons confined in the Iowa county jail,	15 88	" "
641	James M. Goodhue,	Newspapers furnished members,	9 39	" 30,
642	W. R. Smith,	Writing done for legislative assembly,	18 00	July 21,
643	W. H. Sullivan,	Newspapers furnished to members of the legislature,	9 36	" 23,
644	A. Hyatt Smith,	Salary as attorney general,	62 50	" "
645	W. R. Smith,	Salary as adjutant general,	31 50	" 24,
646 to 648	Timothy Burns,	Account allowed for boarding criminals in Iowa county jail,	211 50	" 26,
649	George P. Delplaine,	Appropriation for extra services as auditor,	100 00	" 29,
650	same	Appropriation for contingent expenses,	50 00	" "
651	P. C. Hale,	Blank record books,	8 00	
652	Peter Kavanaugh,	Labor about the capitol,	80 75	Aug. 4,
653, 654	H. T. Sanders,	Arresting fugitives in New York and delivering to sheriff of Racine county,	550 00	
655	L. Judson,	In lieu of warrant No. 423, cancelled,		
656 to 662	S. Mills,	Balance due for printing as per appropriation of February 11, 1847, remaining unpaid by the secretary of the territory,	1200 00	Sept. 24,
663	Thomas McHugh,	Writing done for legislative council,	25 00	Oct. 16,
664 to 688	J. H. Rountree,	Principal and interest on bonds Nos. 13 and 40, cancelled,	166 10	" 18, " 20,
689	W. R. Smith,	Quarter's salary as adjutant general,	37 50	" 21,
690	S. G. Knight,	Maintaining criminals in Racine county jail,	209 50	Nov. 7,
691, 692	Roswell G. Spaulding,	Painting the capitol,	332 00	" 8,

STATEMENT—*(Continued.)*

No. War.	To whom issued.	For what given.	Amount.	Date of issue.
693	Sup. Territorial Property,	Appropriation for purchase of stationery,	690 00	Nov. 8,1847.
694	Alfred Brunson,	Principal and interest of bond No. 102, cancelled,	198 53	" 17,
695, 696	A. H. Smith,	Quarter's salary as attorney general,	62 50	" 18,
697	J. L. Marsh,	Publishing proclamations,	22 00	" 22,
698	Morgan L. Martin,	Interest on bonds cancelled,	11 17	" 26,
699	M. G. VanBergen,	Labor about the capitol,	3 00	Dec. 7,
700	H. A. Tenney, & Co.	Printing census blanks for secretary,	121 00	" 20,
701	S. A. Davenport,	Mileage pay as a member of convention,	20 00	" "
702	G. M. Fitzgerald,	do do do	23 60	" "
703	S. W. Beall,	do do do	18 00	" "
704	E. P. Cotton,	do do do	12 60	" "
705	A. D. Ramsey,	do do do	21 80	" "
706	William Richardson,	do do do	18 00	" "
707	A. M. Carter,	do do do	11 00	" "
708	Charles Bishop,	do do do	8 80	" "
709	S. S. Case,	do do do	17 00	" "
710	O. Cole,	do do do	16 80	" "
711	Charles H. Larabee,	do do do	14 00	" "
712	J. Colley,	do do do	12 00	" "
713	Harrison Reed,	do do do	28 00	" "

714	G. D. Lakin,	do	do	do	14		"	"
715	M. Schœffler,	do	do	do	20		"	"
716	A. B. Jackson,	do	do	do	22		"	"
717	H. T. Sanders,	do	do	do	22		"	"
718	S. B. McClellan,	do	do	do	19		"	"
719	J. H. Rountree,	do	do	do	14		"	"
720	A. G. Cole,	do	do	do	17	60	"	"
721	S. Judd,	do	do	do	10		"	"
722	H. G. Turner,	do	do	do	24	20	"	"
723	G. W. Brownell,	do	do	do	83		"	"
724	D. G. Fenton,	do	do	do	28		"	"
725	R. King,	do	do	do	20		"	"
726	S. Steadman,	do	do	do	26		"	"
727	Geo. Gale,	do	do	do	14		"	"
728	F. Lovell,	do	do	do	23		"	"
729	G. W. Featherstonhaugh,	do	do	do	20		"	"
730	S. W. Lyman,	do	do	do	12		"	"
731	T. Prentiss,	do	do	do	8		"	"
732	H Latham,	do	do	do	15		"	"
733	E. D. Foot,	do	do	do	16	20	"	"
734	Jonas Folts,	do	do	do	7	20	"	"
735	W. H. Kennedy,	do	do	do	37		"	"
736	P. Pentony,	do	do	do	23	40	"	"
737	J. Fagan,	do	do	do	27		"	"
738	J. T. Lewis,	do	do	do	6		"	"
739	L. P. Harvey,	do	do	do	12		"	"

STATEMENT—*(Continued.)*

No. War.	To whom issued.	For what given.	Amount.	Date of issue.
740	J. Harrington,	do do do	16 20	Dec. 20, 1847.
741	P. Crandall,	do do do	10 00	" "
742	A. C. Brown,	Services in examining condition of Mineral Point bank,	15 00	" "
743	E. Eastabrook,	Mileage pay as a member of convention,	16 00	" "
744	W. Chase,	do do do	14 00	" "
745	P. D. Gifford,	do do do	18 00	" "
746	A. Fowler,	do do do	23 00	" "
747	John O'Connor,	do do do	15 00	" "
748	A. C. Kinne,	do do do	13 00	" "
749	Joseph Ward,	do do do	8 80	" "
751	G D. Brown,	Messenger pro tem of convention,	5 00	" "
752	F. A. Utter,	Printing governor's proclamations,	21 05	" "
753	George Scagel,	Mileage pay as a member of convention,	22 00	" "
754	William A. Wheeler,	do do do	4 00	" "
755	Allen Worden,	do do do	15 00	" 22,
756	S. B. Hollenbeck,	do do do	14 20	" "
757	T. Secor,	do do do	20 00	" "
758	Charles H. Larkin,	do do do	20 00	" "
759	E. W. Mulford,	do do do	16 00	" "
760	E. Root,	do do do	18 00	" "

761	J. D. Reymert,		do	do	do	20 00	" "
762	Morgan L. Martin,		do	do	do	25 60	" "
763	A. L. Castleman,		do	do	do	13 40	" "
764	A. Vanderpool,		do	do	do	4 40	" "
765	Edward V. Whiton,		do	do	do	8 00	" "
766	Milo Jones,		do	do	do	7 00	" 23,
767	William McDowell,		do	do	do	9 00	" "
768	Chas. Dunn,		do	do	do	12 80	" "
769	Jas. Biggs,		do	do	do	8 00	Jan. 2,
770	William H. Fox,		do	do	do	2 00	" "
771	Charles M. Nichols,		do	do	do	2 00	" "
772	S. W. Beall,	Per diem		do	do	50 00	" 4.
773	C. Bishop,		do	do	do	50 00	" "
774	J. Biggs,		do	do	do	50 00	" "
775	G. W. Brownell,		do	do	do	50 00	" "
776	A. M. Carter,		do	do	do	50 00	" "
777	S. S. Case,		do	do	do	50 00	" "
778	A. L. Castleman,		do	do	do	50 00	" "
779	A. G. Cole,		do	do	do	50 00	" "
780	J. Colley,		do	do	do	50 00	" "
781	E. P. Cotton,		do	do	do	50 00	" "
782	P. Crandall,		do	do	do	50 00	" "
783	Warran Chase,		do	do	do	50 00	" "
784	S. A. Davenport,		do	do	do	50 00	" "
785	J. L. Doran,		do	do	do	50 00	" "
786	Charles Dunn,		do	do	do	50 00	" "

STATEMENT—*(Continued.)*

No. War.	To whom issued.	For what given.			Amount.	Date of issue.
787	E. Eastabrook,	do	do	do	50 00	Jan. 4 1188.
788	J. Fagan,	do	do	do	50 00	" "
789	G. W. Featherstonhaugh,	do	do	do	50 00	" "
790	D. G. Fenton,	do	do	do	50 00	" "
791	G. M. Fitzgerald,	do	do	do	50 00	" "
792	Jonas Folts,	do	do	do	50 00	" "
793	E. A. Foot,	do	do	do	50 00	" "
794	A. Fowler,	do	do	do	50 00	" "
795	William H. Fox,	do	do	do	50 00	" "
796	George Gale,	do	do	do	50 00	" "
797	P. D. Gifford,	do	do	do	50 00	" "
798	J. Harrington,	do	do	do	50 00	" "
799	Louis P. Harvey,	do	do	do	50 00	" "
800	S. B. Hollenbeck,	do	do	do	50 00	" "
801	Milo Jones,	do	do	do	50 00	" "
802	Stoddard Judd,	do	do	do	50 00	" "
803	William H. Kennedy,	do	do	do	50 00	" "
804	Byron Kilbourn,	do	do	do	50 00	" "
805	Rufus King,	do	do	do	50 00	" "
806	A. C. Kinne,	do	do	do	50 00	" "
807	G. A. Lakin,	do	do	do	50 00	" "

808	C. H. Larkin,	do	do	do	50 00	"	"
809	C. H. Larrabee,	do	do	do	50 00	"	"
810	H. Latham,	do	do	do	50 00	"	"
811	J. T. Lewis,	do	do	do	50 00	"	"
812	F. S. Lovell,	do	do	do	50 00	"	"
813	S. W. Lyman,	do	do	do	50 00	"	"
814	M. L. Martin,	do	do	do	50 00	"	"
815	S. R. McClellan,	do	do	do	50 00	"	"
816	W. McDowell,	do	do	do	50 00	"	"
817	E. Mulford,	do	do	do	50 00	"	"
818	C. M. Nichols,	do	do	do	50 00	"	"
819	J. O'Connor,	do	do	do	50 00	"	"
820	S. Pentony,	do	do	do	50 00	"	"
821	T. Prentiss.	do	do	do	50 00	"	"
822	A. D. Ramsey,	do	do	do	50 00	"	"
823	J. D. Reymert,	do	do	do	50 00	"	"
824	Harrison Reed,	do	do	do	50 00	"	"
825	E. Root,	do	do	do	50 00	"	"
826	J. H. Rountree,	do	do	do	50 00	"	"
827	H. T. Saunders,	do	do	do	50 00	"	"
828	G. Scagel,	do	do	do	50 00	"	"
829	M. Schoeffler,	do	do	do	50 00	"	"
830	T. Secor,	do	do	do	50 00	"	"
831	S. Steadman,	do	do	do	50 00	"	"
832	H. G. Turner,	do	do	do	50 00	"	"
833	A. Vanderpool,	do	do	do	50 00	"	"

STATEMENT—(*Continued.*)

No. War.	To whom issued.	For what given.			Amount.	Date of issue.
834	Joseph Ward,	do	do	do	50 00	Jan. 4, 1848.
835	W. A. Wheeler,	do	do	do	50 00	" "
836	E. V. Whiton,	do	do	do	50 00	" "
837	A. Worden,	do	do	do	50 00	" "
838	O. Cole,	do	do	do	50 00	" "
839	A. B. Jackson,	do	do	do	50 00	" "
840	W. Richardson,	do	do	do	50 00	" "
841	J. L. Doran,	do	do	do	50 00	" "
842	E. R. Hugunin,	do	as sergeant-at-arms,	do	50 00	" 7,
843	D. Randall,	do	door keeper,	do	50 00	" "
844	Matthew Bishop,	do	messenger,	do	50 00	" "
845	H. Tipple,	do	do	do	50 00	" "
846	Wm M. Mott,	do	fireman,	do	50 00	" "
847	Thomas McHugh,	do	secretary,	do	120 00	" 8,
848	R. L. Ream,	do	assistant secretary,	do	120 00	" "
849	F. S. Walling,	do	do	do	120 00	" "
850	T. A. B. Boyd,	do	do	do	120 00	" "
851	Foster & Thompson,	Boarding criminals in Iowa county jail,			28 48	" 11,
852	R. M. Long,	do	do	do	40 50	" "
853	Abner Nichols,	do	do	do	157 50	" "

854	J. G. Knapp,	Incidental expenses of convention,	220 00	Jan. 13,
855	William R. Smith,	Quarter's salary as adjutant general,	37 50	" 22,
856	W. S. Hamilton,	Per diem and mileage contesting seat in convention,	100 00	" 25,
857	Mathew Wood,	Boarding criminals in Grant county jail,	252 10	" "
858	N. N. Treadway,	Per diem as assistant secretary, pro tem,	10 00	" "
859	Byron Kilbourn,	Mileage pay as a member of constitutional convention,	20 00	" "
860	William McDowell,	Per diem do do	57 50	" "
861	George P. Delaplaine,	Salary as auditor,	100 00	" "
862	Frederick Holman,	Sergeant-at-arms, pro tem,	5 00	" 28,
863	F. S. Utter,	Newspapers furnished legislature,	2 50	" 29,
864	S. W. Beall,	Per diem as a member of convention,	72 50	" "
865	Henry Waggoner,	Taking depositions as commissioner in contested seat in the constitutional convention, William S. Hamilton, vs. John O'Connor,	64 00	" "
866	Samuel Crawford,	Similar services as commissioner,	5 00	" "
867	John K. Williams,	Conveying said depositions to capitol,	12 00	" "
868	John O'Connor,	Expenses in contesting seat,	93 80	" "
869	Charles Bishop,	Per diem pay as a member of constitutional convention,	72 50	" 31,
870	J. Biggs,	do do do	72 50	" "
871	G. W. Brownell,	do do do	72 50	" "
872	A. M. Carter,	do do do	72 50	" "
873	S. S. Case,	do do do	72 50	" "
874	A. L. Castleman,	do do do	72 50	" "
875	A. G. Cole,	do do do	72 50	" "
876	O. Cole,	do do do	72 50	" "

STATEMENT—*(Continued.)*

No. War.	To whom issued.	For what given.			Amount.	Date of issue.
877	J. Colley,	do	do	do	72 50	Jan. 13, 1848.
878	E. P. Cotton,	do	do	do	72 50	" "
879	P. Crandall,	do	do	do	72 50	" "
880	Warren Chase,	do	do	do	72 50	" "
881	S. A. Davenport,	do	do	do	72 50	" "
882	J. L. Doran,	do	do	do	72 50	" "
883	Charles Dunn,	do	do	do	72 50	" "
884	E. Eastabrook,	do	do	do	72 50	" "
885	G. W. Featherstonhaugh,	do	do	do	72 50	" "
886	D. G. Fenton,	do	do	do	72 50	" "
887	G M. Fitzgerald,	do	do	do	72 50	" "
888	J. Folts,	do	do	do	72 50	" "
889	J. Fagan,	do	do	do	72 50	" "
890	A. Fowler,	do	do	do	72 50	" "
891	William H. Fox,	do	do	do	72 50	" "
892	George Gale,	do	do	do	72 50	" "
893	P. D. Gifford,	do	do	do	72 50	" "
894	J. Harrington,	do	do	do	72 5	" "
895	L. P. Harvey,	do	do	do	72 50	" "
896	S. B. Hollenbeck,	do	do	do	72 50	" "
897	Milo Jones,	do	do	do	72 50	" "

898	Stoddard Judd,	do.	do	do	72	50	"	"
899	William H. Kennedy,	do	do	do	72	50	"	"
900	Byron Kilbourn,	do	do	do	72	50	"	"
901	Rufus King,	do	do	do	72	50	"	"
902	A. C. Kinne,	do	do	do	72	50	"	"
903	C. H. Larkin,	do	do	do	72	50	"	"
904	G. A. Lakin,	do	do	do	72	50	"	"
905	C. H. Larrabee,	do	do	do	72	50	"	"
906	H. Latham,	do	do	do	72	50	"	"
907	J. T. Lewis,	do	do	do	72	50	"	"
908	F. S. Lovell,	do	do	do	72	50	"	"
909	S. W. Lyman,	do	do	do	72	50	"	"
910	M. L. Martin,	do	do	do	72	50	"	"
911	A. B. Jackson,	do	do	do	72	50	"	"
912	S. R. McClellan,	do	do	do	72	50	"	"
913	E. Mulford,	do	do	do	72	50	"	"
914	C. M. Nichols,	do	do	do	72	50	"	"
915	J. O'Connor,	do	do	do	72	50	"	"
916	S. Pentony,	do	do	do	72	50	"	"
917	T. Prentiss.	do	do	do	72	50	"	"
918	J. D. Reymert,	do	do	do	72	50	"	"
919	Harrison Reed,	do	do	do	72	50	"	"
920	W. Richardson,	do	do	do	72	50	"	"
921	E. Root,	do	do	do	72	50	"	"
922	J. H. Rountree,	do	do	do	72	50	"	"
723	H. T. Saunders,	do	do	do	72	50	"	"

STATEMENT—*(Continued.)*

No. War.	To whom issued.	For what given.	Amount.	Date of issue.
924	G. Scagel,	Per diem pay as a member of constitutional convention,	$72 50	Jan. 31, 1488.
925	M. Schoeffler,	do do do	72 50	" "
926	T. Secor,	do do do	72 50	" "
927	S. Steadman,	do do do	72 50	" "
928	H. G. Turner,	do do do	72 50	" "
929	A. Vanderpool,	do do do	72 50	" "
930	Joseph Ward,	do do do	72 50	" "
931	W. A. Wheeler,	do do do	72 50	" "
932	A. Worden,	do do do	72 50	" "
933	A. D. Ramsey,	do do do	72 50	" "
934	Thomas McHugh,	do as secretary, do	125 00	" "
935	R. L. Ream,	do assistant secretary, do	125 00	" "
936	T. A. B. Boyd,	do do do	125 00	" "
937	F. S. Walling,	do do do	125 00	" "
938	Abraham Ogden,	do door keeper, do	40 00	" "
939	E. R. Hugunin,	do sergeant-at-arms, do	72 50	" "
940	Wm. M. Mott,	do fireman, do	72 50	" "
941	Matthew Bishop,	do messenger, do	72 50	" "
942	H. Tipple,	do do do	72 50	" "
943	D. Randall,	do door keeper, do	32 50	" "

944	H. Tuttle,	do	Assistant fireman,	do	111	00	" "
945	John Penman,	do	Chaplain,	do	50	00	" "
946	Charles Lord,	do	do	do	50	00	" "
947	H. W. Reed,	do	do	do	50	00	" "
948	Beriah Brown,	Incidental printing for convention,			24	95	" "
948	Morgan L. Martin,	Per diem as president of convention,			22	50	" "
949	D. Holt, Jr,	Postage of members of convention,			1491	33	" "
950	Thomas McHugh,	Preparing journal for publication,			100	00	" "
951	Tenney, Smith & Holt,	Printing done for convention,			207	97	" "
952	E. V. Whiton,	Per diem pay as a member of the convention,			72	50	" "
952	George Hyer,	Newspapers furnished members of convention,			14	35	" "
953	W. W. Wyman,	do	do	do	600	62	" "
054	Beriah Brown,	do	do	do	432	12	" "
955	Moritz Schœffler,	do	do	do	69	65	" "
956	J. D. Reymert,	do	do	do	30	80	" "
957	Wilson & King,	do	do	do	48	93	" "
958	H. A. Wright,	do	do	do	8	75	" "
959	E R. & F. A. Utter,	do	do	do	3	75	" "
960	E. A. Foot,	do	do	do	72	50	" "
961	Cramer & Curtis,	do	do	do	32	50	" "
962	Alden & Gratten,	do	do	do	4	55	" "
963	C. L. Sholes,	do	do	do	24	15	" "
964	Wallace Mygatt,	do	do	do	10	50	" "
665	G. W. Bliss,	do	do	do	10	50	" "
966	Bunner & Stafford,	do	do	do	17	25	" "
967	E. A. Cooley,	do	do	do	3	75	" "

STATEMENT—*(Continued.)*

No. War.	To whom issued.	For what given.	Amount.	Date of issue.
968	Edward Bliss,	do do do	23 80	Jan. 31, 1848.
970	G. W. Crabb,	do do do	2 10	" "
971	J. M. Goodhue,	do do do	3 75	" "
972	L. Leech,	do do do	2 00	" "
973	Tenney, Smith & Holt,	do do do	830 01	" "
974	D. Noble Johnson,	do do do	80 00	" "
975	Moritz Schœffler,	Translating constitution into German,	100 00	Feb. 1,
976	F. Fratney,	do do do	100 00	" "
977	J. D. Reymert,	do do Norwegian,	100 00	" "

By a law of the Legislative Assembly, approved February 24th, 1845, it was made the duty of the Auditor to take up and cancel all territorial bonds of any description, except "canal bonds," and issue warrants upon the treasurer of the territory corresponding with the amount due for principal and interest of such bond, at the time of cancelling the same. In conformity therewith, I have taken up and cancelled the following bonds, and issued warrants on the treasurer of the territory, of different denominations, corresponding in the aggregate, with the principal and interest of such bonds.

Bonds cancelled, for which warrants have been drawn on the Treasurer.

No. of bond.	By whom and when issued.	To whom issued.	Amount of bond.	Am't including interest.	When cancelled.
9	F. J. Dunn, February 9, 1842.	Collier & Pettus,	$2,455 89		Feb. 9, 1847.
7	do " 19, "	D. N. Richards,	150 00	$241 66	Mar. 29,
98	A. P. Field, " 1, "	Edward Campbell,	18 80	32 38	" "
99	do " 1, "	do	4 00	6 46	" "
	do " 4, "	Thomas Eastman,	7 00	11 30	" "
13	F. J. Dunn, March 5, "	A. A. Bird,	50 00	83 05	Oct. 18,
40	do " 5, "	do	50 00	83 05	" "
102	do April 30, "	R. C. Hoard,	120 00	198 53	Nov. 17,

Bonds numbered 11, 23, 30 and 59, (not mentioned in the foregoing list,) which were cancelled on the 19th of March last, it was subsequently ascertained had previously been paid by the United States, through Mr. Floyd, the former secretary of the territory, and that appropriations had been made by the legislative assembly to the persons who had surrendered them, for the interest due at the time of the payment of the principal by that officer. Warrants amounting to $708 89, being the amount issued on these bonds, were returned into my hands by the persons in whose favor they were drawn and have been cancelled by the auditor and the bonds returned to the owner.

In obedience to a law passed at the last session of the legislative assembly, the treasurer of the territory has been credited with the sum of $45,384 42, and the further sum of $11,398 30 which has been received from him during the past year in scrip and other evidences of indebtedness, has also been passed to his credit and the same cancelled by the auditor, in compliance with law.

Certificates have been presented to the auditor, of the deposit in the hands of the treasurer of the territory, by the counties of Racine and Green, of the sum of $1,955 42, on account of revenue due for the year 1847, which sum has been passed to their credit respectively, and the treasurer charged with the same.

Most of the counties I have been informed (though not officially,) have made payment into the territorial treasury of the revenue tax due for the year 1846, but as no certificates of such payments have been presented to this office, therefore, I am unable to state the amount thus paid in; information on that subject will probably be given by the treasurer in his report to your honorable body.

All of which is respectfully submitted,

GEORGE P. DELAPLAINE.

Auditor Wis. Ter.

ABSTRACT

Of assessment returns for the year 1847, made to the auditor, by the clerks of the different counties, in accordance with the provisions of an act of the legislative assembly, approved February 24, 1845.

COUNTIES.	Aggregate No. of acres of land ass'd.	Assessed value of such lands and of town and out lots.	Assessed value of improvements.	Ass'd val'e of merchandise and stock in incorporated companies.	Ass'd val'e of personal property exclusive of merchandise.	Amount total of assessment.	Total tax due the territory.
	$ c.	$ c.	$ c.	$ c.	$ c.	$ c.	$ c.
BROWN,.....	115,659 12	289,812 80		8.850		298,662 80	447 99
CALUMET,.....	64,065 7	101,063 50				101,063 50	151 60
COLUMBIA,.....	85,437	202,500		7,000		209,500	314 25
CRAWFORD,.....	13,473	57,262	129,416	15,150	51,585	253,413	108 62
DANE,.....	247,087 77	527,479 50				527,479 50	791 22
DODGE,.....	251,872	479,097 70			49,019 50	528,117 20	718 65
FOND DU LAC,..	141,514	261,204 69	51,837 31	5,000		318,042	399 31
GRANT, ...		795,350		55,360		850,710	1,276 07
GREEN,.....	154,419 89	368,454		5,000		373,454	560 80
IOWA,.....	142,766 50	399,781 41		44,700		444,481 41	666 72
JEFFERSON,....	178,360 22	375,724 32	321,477 79	21,570		718,772 11	595 94
LA FAYETTE, ..	162,830 44	545,596 33		33,454		579,041 33	868 56
MANITOWOC, ..	56,918	137,823 29				137,823 29	206 73
MARQUETTE,...	78,872 56	166,544 57		8,450		174,994 57	262 49
MILWAUKEE,...	129,205	1,361,150	540,755	113,505	236,010	2,251,420	2,211 98
PORTAGE,.....	3,400	11,412 87	68,850	7,860 60	100,037 98	188,161 45	28 91
RACINE,.....	323,552	1,051,423 68	308,326		108,586	1,468,335 68	1,577 14
ROCK,.....	331,211 54	990,326 60		29,460		1.019,786 60	1,529 68
SAUK,.....	19 651 22	72,008		6,550	34,533 50	113,091	117 84
SHEBOYGAN,...	71,337 82	223,617 21		14,350		237,967 21	356 95
ST. CROIX, ...			94.600	17,925	111,230 50	223,755 50	26 89
WALWORTH,....	301,162	975,684	405,487	18,600	118,266	1,518,037	1,491 43
WASHINGTON, .	281,549	518,837 68				518,837 68	778 26
WAUKESHA,....	247,330	526,397	223,505	6,850	81,038	837,790	799 87
WINNEBAGO,...	63,123 64	129,944 41		2,950		132,894 41	199 34
	3,464,797 79	10,568,495 56	2,144,254 10	422,575 60	890,306 48	14,025,631 24	16,493 62

Respectfully submitted,
GEO. P. DELAPLAINE, Auditor.

Auditor's Office, February 9th, 1848.

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INDEX.

INDEX.

INDEX.

A.

AUDITOR, annual report of, introduced, 23. Ordered printed, 32.

ADJOURNMENT, resolution concerning, 67, 81, 85. Passed, 86. Passed House, 111.

" sine die, 275.

ACKNOWLEDGMENTS, bill for appointment of commissioners to take, introduced, 72. Proceedings, 77. Negatived, 78.

ADAMS, J. Q., resolution concerning death of, introduced, 132. Passed, 136, 270. Approved, 274.

ADMINISTRATORS, bill relating to, received from House, 148. Proceedings, 183, 193. Rejected, 194.

ADJUTANT GENERAL, bill concerning, received from House, 192. Proceedings, 206. Passed, 224. Signed, 240.

ACTIONS, commencement of, bill received from House, 225. Passed, 231.

B.

BUNCE, GEORGE W., appointed fireman pro tem, 3. Elected, 7.

BONNIVEL, W. T., elected assistant secretary, 26. Sworn, 27.

BAXTER, DANIEL, claim of, 31. Report on, 89.

BURNETT, THO's P., heirs of, 35. Bill introduced, 55. Proceedings, 63, 66. Passed, 69. Passed

House, 192, 198. Signed, 221. Approved, 264.

Bunner & Stafford, account of, 61, 181.

Burdick, Samuel, bill for divorce of, received from House, 64. Proceedings, 77, 86, 92, 94. Passed, 100. Presented to Governor, 113. Approved, 121.

Buena Vista, resolution concerning battle of, 75.

Bliss, Edward, account of, 123.

Boundary, memorial to congress concerning, received from House, 140. Rejected, 142.

Bridge, bill to authorize construction of, across Platte river, received from House, 148. Proceedings, 150. Passed, 152. Enrolled, 170. Signed, 178. Presented to Governor, 184. Approved, 190.

" across Wisconsin river, bill introduced, 162. Proceedings, 175. Passed, 265.

" across Manitowoc river, bill introduced, 169. Proceedings, 188, 197. Passed, 200. Passed House, 218. Enrolled, 224. Signed, 241. Approved, 252.

Bonds, resolution concerning outstanding, introduced, 157. Proceedings, 173, 183, 187, 212. Passed, 261. Signed, 263. Approved, 269.

" committee appointed to cancel, 236, 251.

Building Committee, bill to adjust claim against, received from House, 174. Proceedings, 193. Passed, 201. Returned, 205. Signed, 209. Re-considered, 217. Proceedings, 251. Passed, 251. Approved, 274.

Beloit, village of, bill concerning, received, 192. Proceedings, 206. Passed, 225. Signed, 240.

Brown, Beriah, account of, 227.

Beetown, bill concerning lands in, received, 246.

C.

CHAPLAIN, elected, 6.

CENSUS, resolution relative to, 9. Report of Secretary on, 19. Ordered printed, 32.

COATS, B. M., bill to divorce. received from House, 192. Negatived, 206. Re-considered, 216. Negatived, 235.

CROWLEY, E., bill to divorce, received from House, 239. Passed, 241. Enrolled, 262. Signed, 263.

CONSTITUTION, printing of, 20, 22.

CRABB, GEO. W., account of, 26.

COOLEY, E. A., account of, 26, 35.

CHARTER, JANE ANN, bill for divorce of, introduced, 31. Proceedings, 154.

CHURCH, bill to incorporate Protestant Episcopal, introduced, 33. Proceedings, 38, 42. Passed, 43. Passed House, 111.

" Methodist Episcopal, in Milwaukee, bill concerning, received from House, 114. Proceedings, 117, 119. Passed, 120. Signed, 132. Presented, 142.

COUNTY OF GRANT, census of, 36.

" " division of, bill received from House, 179. Proceedings, 206, 238. Passed, 245. Signed, 255.

" CRAWFORD, bill introduced, 42. Proceedings, 48, 122, 125. Passed, 127. Passed House, 217. Enrolled, 233. Signed, 241. Approved, 252.

" WAUKESHA, bill concerning, introduced, 44. Proceedings, 47, 48. Passed, 51. Enrolled, 55. Signed, 64. Presented to Governor, 66. Approved, 79.

" COLUMBIA, bill concerning county seat of, introdu-

ced, 92. Proceedings, 101, 107. Passed, 107. Passed House, 162. Enrolled, 171. Signed, 177. Presented to Governor, 185. Approved, 203.

COUNTY OF MANITOWOC, bill to organize, introduced, 94. Proceedings, 101. Passed, 106. Proceedings further, 114, 116, 119. Passed, 120. Passed House, 128. Signed, 132. Presented to Governor, 142.

" ST. CROIX, bill concerning, received from House, 111. Proceedings, 119. Passed, 120. Signed, 132.

" MARQUETTE, bill concerning county seat of, received, 114. Proceedings, 117, 125, 127. Indefinitely postponed, 129.

" JEFFERSON, resolution concerning, 195.

" ADAMS, bill to organize, introduced, 155. Proceedings, 172, 182. Passed, 187. Passed House, 218. Signed, 241. Approved, 264.

" LA FAYETTE, bill concerning, received, 192. Passed, 225.

CRANDALL, ORMAN, bill to divorce, received, 58. Proceedings, 59, 83, 87. Passed, 93. Enrolled, 96. Signed, 101. Presented to Governor, 106.

CEMETERIES, Beaver Dam, 68.

" general incorporation of, bill introduced, 137. Proceedings, 149, 168. Passed, 169. Passed House, 217. Signed, 250. Approved, 264.

" Honey Creek, bill concerning, received, 245.

CURTISS, JOHN, bill to divorce, introduced, 85. Proceedings, 95, 100, 103. Passed, 107. Passed House, 191. Enrolled, 200. Signed, 209. Approved, 214.

CANAL LANDS, report of register and receiver of, 88.

" bill concerning sale of, introduced, 121. Proceedings, 152, 153. Passed, 159. Enrolled, 260. Signed, 263. Approved, 269.

" communication from the president of, 167.

" resolution concerning, received, 219. Proceedings, 262, 269. Passed, 231.

CONNOR, MARY ANN, bill to change the name of, introduced, 94. Proceedings, 101. Passed, 108. Enrolled, 110. Approved, 121.

COLLEGE, Wisconsin Medical, bill to incorporate, received, 111. Proceedings, 121. Passed, 121. Signed, 132.

" Sinsinawa Mound, bill to incorporate, received, 148. Proceedings, 150. Passed, 207. Enrolled, 249. Signed, 250.

CASE, ACSAH, bill to divorce, introduced, 123. Proceedings, 138, 147, 153. Passed, 159. Passed House, 217. Enrolled, 233. Signed, 240. Approved, 253.

CATLIN, JOHN, bill for payment to, introduced, 126. Proceedings, 139. Passed, 147. Passed House, 191. Enrolled, 200. Signed, 209. Approved, 214.

" account of, 133, 245.

CHARTER, JANE ANN, bill to divorce, introduced, 135. Proceedings, 149. Passed, 160. Passed House, 217. Enrolled, 232. Signed, 241. Approved, 253.

COON, OLIVER, bill to divorce, received, 163. Proceedings, 176, 182, 187. Rejected, 201.

COMMITMENTS, bill concerning, received, 174. Proceedings, 193. Passed, 256. Enrolled, 262. Signed, 263.

CRAMER & CURTISS, account of, 181.

COLE, A. G., bill concerning, introduced, 195.

CONVENTION, joint, for election of territorial officers, 23.

D.

Du Lac Academy, bill to incorporate, introduced, 27. Proceedings, 36. Passed, 38. Passed House, 93. Enrolled, 106. Approved, 118.

Dams, across Kickapoo river, 24, 27, 37, 40.

" " Oconto river, 31, 35, 48, 62, 128, 132, 142, 151.

" " Rock river, 58, 59, 60, 66, 67, 71, 79.

" " Milwaukee river, 58, 59, 64, 67, 71, 79.

" " Fox river, 72, 77, 85, 86, 162, 171, 178, 203.

Dawson, John, divorce of, bill received, 79. Proceedings, 204.

Dean & Co., account of, 83, 227.

E.

Editors, resolution concerning, 8.

Eldorado, town of, 24.

Expenses of the Legislature, report concerning, 28.

Evidence, bill to make the certificate of register of land office, received, 67. Proceedings, 68, 77. Passed, 86. Enrolled, 95. Signed, 100.

Embezzlement, bill concerning, received, 174. Proceedings, 193. Negatived, 257.

Evans, John W., bill to divorce, introduced, 205. Proceedings, 212. Passed, 227. Passed House, 253. Signed, 263. Approved, 269.

F.

Fireman to Governor's soom, 9, 18.

Finch, B. W., account of, 23.

FOND DU LAC, bill to define boundaries of, introduced, 32. Proceedings. 39, 40. Passed, 70. Passed House, 162. Enrolled, 171. Signed, 118. Approved, 203.

FOOTE, WM. H., account of, 41.

FERRY, across the Mississippi, received, 50. Proceedings, 51. Passed, 52. Enrolled, 55. Signed, 64. Presented to Governor, 66. Approved, 80.

" " Fox river, bill received, 58. Passed, 62. Enrolled, 64. Signed, 67. Presented to Governor, 71. Approved, 79.

" " Wisconsin river, bill introduced, 97. Proceedings, 108, 116. Passed, 118. Passed House, 191. Enrolled, 200. Signed, 209. Approved, 214.

FARNHAM, WM., bill to divorce, received, 129. Proceedings, 135, 161. Passed, 170. Enrolled, 171. Signed, 178. Presented to Governor, 184. Approved, 191.

G.

GREENFIELD, bill to change name of, received, 130. Proceedings, 139. Passed, 146.

GENEVA, bill to repeal act incorporating, introduced, 172. Proceedings, 188, 197. Passed, 200.

GRANT, BENJAMIN, bill to divorce, received, 219.

H.

HALE & CHAPMAN, account of, 24.

HILER, DANIEL, bill to divorce, introduced, 56. Proceedings, 63, 66, 69. Passed, 112. Enrolled, 171. Signed, 177. Approved, 203.

HAYS, JOHN, divorce of, bill reeeived, 78. Proceedings, 107,

108. Passed, 118 Signed, 121. Presented to Governor, 131. Approved, 133.

HULBURT, R., bill to divorce, received, 78. Proceedings, 107, 108. Passed, 118. Signed, 121. Presented to Governor, 131. Approved, 133.

HOOPER, JOHN, bill to divorce, introduced, 93. Proceedings, 101. 145. Rejected, 146. Further proceedings, 166, 179, 219. Passed, 256. Signed, 263.

HEAP, HENRY, bill to change name of, received, 94. Proceedings, 101. Passed, 108. Enrolled, 111. Signed, 114. Approved, 121.

HILL, WM. HENRY, bill to change name of, received, 106. Proceedings, 128, 134. Passed, 138. Passed House, 217. Enrolled, 233. Signed, 241. Approved, 253.

HOLTON & GOODELL, resolution concerning, 129, 136, 138, 144.

HOLMAN, W. B., bill for divorce of, received, 140. Proceedings, 180. Signed, 180. Enrolled, 190. Approved, 213.

HART, W. L., bill to divorce, introduced, 145. Proceedings, 161. Negatived, 236.

HUMPHREY, L., bill to change name of, received, 148. Proceedings, 150, 151. Passed, 152. Enrolled, 170. Signed, 177. Presented to Governor, 185. Approved, 190.

HIGHWAY, bill relating to, in Racine, introduced, 151. Proceedings, 161, 168. Passed, 169. Passed House, 218. Enrolled, 224. Signed, 241. Approved, 252.

HOLMES, N. B., bill to divorce, introduced, 156. Proceedings, 160, 164, 176, 177. Passed, 179.

HEDGGINS, E., bill for divorce of, received, 163. Proceedings, 176, 182. Negatived, 186. Re-considered, 186. Rejected, 202.

HERZBERG, E. F., account of, 169.

HOPKINS, JAMES, account of, 181.

I.

IRON COMPANY, bill to incorporate, received, 111. Proceedings, 119, 120. Passed, 120. Further proceedings, 128, 137, 148. Enrolled, 171. Signed, 178. Presented to Governor, 184. Approved, 191.

INDEX OF LAWS, bill concerning, introduced, 116. Proceedings, 138. Passed, 146. Rejected by House, 191.

J.

JOHNSON, H. W., divorce of, bill introduced, 56. Proceedings, 63, 66. Passed, 69. Passed House, 111. Signed, 121. Approved, 130.

JARRETT, MILDRED, divorce of, bill received, 79. Proceedings, 204, 219. Passed, 226. Signed, 240.

K.

KELLOGG, L. F., account of, 83.

KNAPP, J. G., account of, 123, 182.

L.

LOCKHART, E. P., appointed sergeant-at-arms pro tem, 3. Elected, 7.

LORD, Rev. Mr., appointed chaplain, 6.

LAWRENCE, bill to change boundaries of, introduced, 32. Proceedings, 81, 85. Passed, 86. Passed House, 162.

LAMBERT, D., account of, 61.

LEWIS, Mr., account of, 83.

LARKIN, J., account of, 123.

LUMBER, survey of, bill received. 148. Proceedings, 150. Passed, 152. Enrolled, 170. Signed, 178. Presented to Governor, 185. Approved, 190.

LIBRARY, bill to supply with books, introduced 153. Proceedings, 172, 174. Negatived, 258.

M.

MAGEE, WM. B., appointed messenger pro tem, 3. Elected, 7.

MESSAGE, ANNUAL, of Governor, 10. Ordered printed, 18. Committee of whole on, 21. Resolutions concerning, 25.

MITCHELL, GEO. W., account of, 22.

MYGATT, W., account of, 34.

MILLS & Co., account of, 35.

MENOMONEES, memorial concerning, introduced, 36. Proceedings, 48, 56. Passed, 57. Passed House, 93. Enrolled, 96. Approved, 110.

McHUGH, THOS., account of, 40.

McKEE, S., bill to divorce, introduced, 50. Proceedings, 52. Passed, 60. Enrolled, 61. Signed, 67. Presented to Governor, 71. Approved, 79.

MILITARY RESERVE, memorial concerning, 102, 119. Passed, 120. Signed, 132.

MADISON, bill concerning village of, introduced, 133. Proceedings, 148, 154. Passed, 160. Signed, 180. Approved, 261.

" bill to vacate Langdon street in, introduced, 133. Proceedings, 149, 154. Passed, 159. Passed House, 217. Signed 241. Approved, 264.

" bill to legalize acts of supervisors of, received, 145. Proceedings, 155, 161. Passed, 169. Enrolled, 189, Signed, 241.

MYGATT, W., account of, 143.

MAP of the Territory, 181.

MINERAL POINT, bill concerning, 218. Passed, 221. Signed, 239.

MILWAUKEE, bill concerning third ward of, introduced, 248.

N.

NEWSPAPERS, for members, resolution relative to, 4, 8.

NOTICES, publication of, bill introduced, 130. Proceedings, 138. Passed, 147. Passed House, 218. Signed, 241. Approved, 252.

O.

ORGANIZATION, of Council, 3.

OLIN, C. C., account of, 72.

OFFICERS, territorial, resolution concerning, 172, 174, 176.

" of Legislature, resolution concerning payment of, introduced, 180. Passed, 186, Passed House, 195. Enrolled, 200. Approved, 214.

OUTHWAITE, E., account of, 268.

P.

PRESIDENT, pro tem, appointed, 3. Elected, 6. Address, 7. Resolution of thanks to, 275.

PETERS, RICHARD, elected assistant secretary, 7. Resignation of, 25. Resolution concerning pay of, 27, 29, 33,

PORT WASHINGTON, bill to legalize acts of supervisors of, introduced, 47. Proceedings, 62. Passed, 62. Passed House, 148, Enrolled, 155. Signed, 163. Approved, 170.

" " memorial to congress for a light house at

received, 79. Proceedings, 87. Passed, 92. Enrolled, 96. Signed, 101. Presented to Governor, 106.

PLANK ROADS, Racine, Rock River, bill introduced 27. Proceedings, 58,62. Passed, 62. Passed House, 128. Enrolled, 175. Signed, 178. Approved, 203.

" " Horricon and Marquette, received, 105. Proceedings, 133. Passed, 138. Signed, 241. Approved, 264.

" " Lisbon and Milwaukee, bill received, 111.—Proceedings, 113. Passed, 114. Signed, 123. Approved, 133.

" " Milwaukee and Janesville, bill received, 111.—Proceedings, 119. Passed, 120. Enrolled, 171. Signed, 177. Presented to governor, 185. Approved, 191.

" " Milwaukee and Rock River, bill introduced, 115. Proceedings, 141, 154. Passed, 158. Passed House, 218. Approved, 269.

" " Milwaukee and Waterford, bill introduced, 116. Proceedings, 139, 154. Passed, 158. Enrolled, 268. Approved, 274.

" " Milwaukee and Beaver Dam, bill introduced, 162. Proceedings, 183. Passed, 187. Signed, 240.

" " Milwaukee, Hustisford and Beaver Dam, bill received, 163. Proceedings, 183, 189, 206. Passed, 225. Signed, 255

" " Neenah and Manitouwoc, bill received, 174.—Passed, 202. Enrolled, 224. Signed, 240.

POTOSI, appropriation to complete landing at, bill received, 31. Proceedings 39, 42. Passed House, 93. Enrolled. 96. Presented to governor, 106. Approved 110.

" Bill concerning town of, received, 235. Passed, 248, Enrolled, 262. Signed, 263.

PRIVATE PROPERTY, bill to punish offences against, introduceed, 123. Proceedings, 138. Passed, 147.

POOR, bill for supporting of, received, 140. Passed, 146. Enrolled, 171. Signed, 178. Presented to governor, 185. Approved, 190.

PRAIRIEVILLE, bill to repeal act of incorporation of, introduced 149. Proceedings, 161, 168. Passed, 169. Passed House, 255. Signed, 250. Approved, 265.

PEASLEY CHAS. S., bill concerning, received, 192. Proceedings, 206. Passed, 225. Enrolled, 245. Signed, 250.

Q.

QUARLES, late Capt. Augustus, bill concerning, received, 174. Proceedings, 193, 200, 206. Negatived, 208.—Reconsidered and passed, 211. Signed, 250.

R.

RULES, resolution concerning, 4. Report of committee on, 8. Ordered printed, 8. Joint, 9, 22.

REAL ESTATE, bill to compel determination of claims to, introduced, 32. Proceedings, 42, 43, 53, 70.—Passed, 74.

" " Bill concerning conveyance of, introduced 35. Proceedings, 43, 50, 62, 66. Passed, 68. Passed House, 201.

RACINE, bill relating to village of, introduced. 32. Proceedings, 48, 52. Passed, 57. Passed House, 129. Enrolled, 157. Signed, 162. Approved, 170.

" Bill to amend charter of, introduced, 76. Proceedings, 95, 96, Passed, 100. Passed House. 192. En-

rolled, 208. Signed, 214.

Roper, Sarah, bill to divorce, introduced, 33. Proceedings, 36, 42, 44. Passed, 49. Signed, 51. Presented to governor, 53. Approved, 53.

Rood, O. account of, 35.

Roads, Racine to Burlington, 36, 48, 52, 57, 128, 132, 142, 151.

" Milwaukee and Waukesha, 47, 59, 62, 129, 132, 142, 151.

" in Paris, 53.

" in Yorkville, 67, 77, 116, 117, 238.

" Southport and Beloit, 76, 102, 106, 108, 192, 198, 240.

" Beloit to White Oak Springs, 79, 87, 134, 140, 145, 162, 180.

" general bill, 89, 102, 106, 108, 191, 200.

" Burlington to Delavan, 129, 171, 178, 190.

" Sheboyagan and Fond du Lac, 135, 150, 154, 158, 217, 233, 250, 264.

" in Washington county, 148, 150, 152, 177, 185, 191.

" in LaGrange, 178, 236.

" Burlington to Racine, 156, 161.

" Port Uloa and Grafton, 191, 206, 224, 255.

" in town of Salem, 163, 176, 179, 183, 209, 220.

" Fond du Lac and Beaver Dam, 172, 188, 197, 183, 209, 220.

Reynolds Elizabeth, bill to divorce, received 78. Proceedings, 107, 108. Passed 127. Signed, 132.

Reymert J. D. account of, 143.

Ring Emily, bill to change name of, received 163. Proceedings, 175, 177. Passed 179. Signed, 180.—Enrolled, 190. Approved. 213.

Revenue, county. Bill concerning, received, 163. Proceedings, 176, 179, 183, 193. Passed, 201. Signed, 214. Presented to governor, 220.

ROGERS, M. B. bill to divorce, received, 174. Proceedings, 206 Rejected, 244.

ROBERTS, E. E. bill to divorce, received, 235. Passed, 242.— Enrolled, 262. Signed, 263.

S.

SMITH, WM. R. appointed assistant secretary, pro tem, 3.

SOUTHPORT, alley in village of, bill introduced, 24. Proceedings, 23. Passed, 33. Passed House, 59. Enrolled, 62. Signed, 64. Approved, 77.

" bill concerning incorporation of, introduced, 144.— Proceedings, 161, 169. Passed, 169. Passed House, 217. Signed 242. Approved, 264.

SULLIVAN, town of, bill concerning, introduced. 50. Proceedings, 59, 62. Passed, 62. Passed House, 148. Enrolled, 155. Signed, 163. Approved, 170.

SCHOOLS, No. 1, in Southport, 29, 36, 37, 38, 111, 117, 121, 130.

" Plover Grove, 21, 39, 43, 111, 117, 121, 130.

" No. 6, in Summit, 49, 53, 74, 81, 86, 95, 100, 106.

" Mill District, 50, 52, 57.

" Phelps, 50, 61, 64, 67, 71, 79.

" No. 10, in Waukesha and Pewaukee, 79, 146, 149, 160, 164, 170, 177, 185, 190.

" No. 1, in Elkhorn, 79, 87, 95, 96, 101, 106.

" No. 1, in Fond du Lac, 110, 127, 134, 138, 170, 191.

" No. 1, in Summit, 127, 139, 147, 153, 160, 217, 233, 240, 264.

" in town of Metomon, 150, 161, 168, 169, 217, 241, 252.

" Platte Town, 153, 172, 183, 234, 249, 264.

" Waterville joint, 164, 172, 183, 188, 224, 241.

" No. 2, in Waterlow, 235.

" Franklin, No. 5, 238, 241, 262.

SHOLES, C. L., account of, 41.

STATIONERY, resolution concerning, 42.

STRAYS, bill to amend act relating to, 44, 47, 48, 63.

SCHWARTZ, C. W., bill to change name of, received, 79. Proceedings, 87. Passed, 173. Signed, 180. Enrolled, 190. Approved, 214.

SAMSON, CHARLES W., bill for relief of, introduced, 129. Proceedings, 157, 161, 164. Passed, 169. Enrolled, 171. Signed, 178. Approved, 190.

SCHOEFFLER, M., account of, 168.

STEVENS, JOHN H., resolution concerning, 195, 200.

STILES, EDWIN, bill to divorce, introduced, 196. Proceedings, 231. Negatived, 235.

SCANNELL, JOHN, bill to divorce, introduced, 197. Passed, 217. Passed House, 254. Signed, 263. Approved, 269.

SUPERINTENDENT of Territorial Property, bill concerning, introduced, 197. Proceedings, 232, 236. Passed, 238. Passed House, 253. Enrolled, 260. Signed, 263. Approved, 271.

SUPERIOR, City of, bill concerning, received, 218. Passed, 221. Signed, 240.

T.

TAXES, delinquent county, 29, 31.

TENNEY, EDWIN B., divorce of, 50, 56, 192, 206, 210.

WNS, resolution relative to annual meeting of, 51.

of Turtle in Rock county, 67, 77, 110, 113, 130, 162, 171, 177, 185, 203.

bill to divide town of Centre, 89, 102, 107, 108, 191, 200, 209, 244.

TOWNS, government of, 130, 139, 147, 161, 168, 169, 232, 214.

" of Salem, 141.

" bill to organize certain, 154, 160, 173, 175, 189, 207, 245, 267.

" of Rochester, 163, 177, 179, 180, 190, 213.

" Springfield, 174, 231.

" of Watertown, 182, 206, 253.

" of Greenfield, 185, 188.

TURNPIKE, Port Washington, Horicon and Beaver Dam, 96, 116, 118, 218, 250, 264.

TREASURER, annual report of, 102.

" resolution concerning account of, 267, 268, 274.

TELEGRAPH, in Wisconsin, 201, 224, 240.

U.

UNIVERSITY LANDS, bill providing for payment of commissioner to locate, received, 58. Proceedings, 59. Passed, 59. Enrolled, 62. Signed, 64. Presented to governor, 66.—Approved, 79.

UTTER, E. F., account of, 105.

W.

WELLS, H. N., appointed president, 3.

WINNEBAGO COUNTY, petition concerning, 21. Report of committee, 97.

WRIGHT, H. A., account of, 26, 83.

WEISNER, EDWARD, account of, 29.

WRIGHT, SILAS, resolution concerning death of, introduced, 31. Proceedings, 37, 40. Passed, 43. Passed House, 93. Enrolled, 96. Signed, 101.—Presented to governor, 106. Approved, 110.

, resolution concerning, 72, 237, 247.

GE, resolution concerning anniversary of death of, 72, 74.

AM, bill to change name of, received 129.—Proceedings, 138, 139, 151, 162.—Passed, 167. Enrolled, 171. Signed, 178. Presented to governor, 185.—Approved, 190.

LAKE and FOX river Company, bill introduced, 156. Proceedings, 172, 182. Passed, 188. Approved, 274.

W[illegible], bill amending act for destruction of, received, 163. Proceedings, 176. Passed, 179. Signed, 180.—Enrolled, 190. Approved, 213.

WARD, C. B., divorce of, bill received, 162. Proceedings, 176, 182, 185. Passed, 201. Enrolled, 205. Signed, 209. Approved, 214.

INDEX TO APPENDIX.

REPORT of Mr. White on the subject of plank roads, 305

COMMUNICATION from the Secretary of the Territory in relation to the settlement of his account with the U. S. treasury department, 330

REPORT of committee on territorial expenditures on a communication from the Governor in relation to the loan in aid of the Milwaukee and Rock river canal and outstanding bonds, 331

COMMUNICATION from Secretary of the Territory transmitting abstract of population of the territory, 335

REPORT of committee on territorial expenditures relative to extra compensation for taking census of Brown county, 344

COMMUNICATION from Auditor and Treasurer reporting arrearages of territorial tax, 346

ANNUAL REPORT of Secretary of Territory, 350

REPORT of Mr. Turner on the expenditure of the legislative appropriation by congress, 361

ANNUAL REPORT of Register and Receiver of Canal Lands, 362

COMMUNICATION of citizens of Milwaukee relative to the Milwaukee and Rock river canal grant, 364

REPLY of Byron Kilbourn on same subject, 371

ANNUAL REPORT of Treasurer of the Territory, 377

REPORT of the committee on the militia relative to the Mexican war, 380

ANNUAL REPORT of Auditor of the Territory, 384